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LAWS OF THE
STATE OF RHODE ISLAND
AND
ORDINANCES
OF THE CITY OF NEWPORT,
IN RELATION TO THE
PUBLIC HEALTH.



ISSUED BY THE
BOARD OF HEALTH OF THE CITY OF NEWP
1892.

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LAWS OF THE
STATE OF RHODE ISLAND
... Laws, statutes, etc.

AND

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GENERAL STATUTES;

PERTAINING TO THE LAWS OF HEALTH.

CHAPTER 118.

Gen. Stat.
Chap. 106.

OF THE INSPECTION OF SALERATUS, SODA AND CREAM OF TARTAR.

SECTION

1. Inspectors, how appointed.
2. Inspectors to test, etc., and give certificate, etc.

SECTION

3. To make analysis, etc., and give certificate.
4. Penalty for selling impure article.

SECTION 1. The city council of Providence shall, and the town councils of the several towns may, appoint an inspector of saleratus, bicarbonate of soda and cream of tartar, for said city and towns respectively.

Inspectors, how appointed.

SEC. 2. Every inspector shall, whenever requested, test any of such articles which shall be presented to him for inspection, and shall give his certificate to any person applying therefor, whether said article be impure or adulterated, and for every such certificate he shall be entitled to the sum of two dollars.

Inspectors to test and give certificate, etc.

SEC. 3. Every inspector shall, whenever requested, make an analysis of any such article which may be presented to him for that purpose, and shall give his certificate to any person who shall apply therefor, of the result of such analysis, for which certificate he shall be entitled to the sum of ten dollars.

To make analysis, etc., when.

Penalty for
selling impure
article.

SEC. 4. Every person who shall sell saleratus, bicarbonate of soda or cream of tartar, which has been adulterated and thereby rendered an impure article, shall be fined twenty dollars, together with the cost of testing and analyzing such impure article; one half of said fine to the use of the city or town where such sale shall be made, and one half thereof, together with the cost of testing and analyzing such impure article, to the use of the person who shall sue for the same.

P. L. Chap. 264.

CHAPTER 130.

OF THE ASSAY OF LIQUORS.

SECTION

1. Governor to appoint state assayer of liquors.
2. Duties of assayer and his deputy.
3. Fees of assayer and deputy.
4. Sale of impure or adulterated liquors forbidden.
5. Penalty for violating preceding section.
6. Penalty for keeping for sale or selling, etc., liquors adulterated with any poison, etc.

SECTION

7. Liquors, etc., to be forfeited. Premises to be searched if warrant issue for their seizure.
8. What to constitute evidence that impure or adulterated liquors are kept for sale.
9. Penalty for giving false certificate of assay.
10. Penalty for accepting reward or gratuity.

State assayer,
how appointed.
Deputies.

SECTION 1. The governor shall annually appoint a state assayer of liquors, who may appoint as many deputies as he may deem necessary.

Duties.

SEC. 2. The assayer or his deputy shall analyze all spirituous and intoxicating liquors whenever required so to do by the attorney-general or by the sheriff of any county or by the chief of police or city marshal of any town or city.

Fees.

SEC. 3. The assayer or his deputy shall be allowed

and paid from the general treasury for each analysis and certificate the sum of one dollar.

SEC. 4. No person shall sell, keep for sale or offer to sell any impure or adulterated spirituous or intoxicating liquors, nor shall any person sell or keep for sale or offer for sale any liquors of quality inferior to what the same are represented to be.

Sale of impure, etc., liquors, forbidden.

SEC. 5. Every person keeping for sale or offering to sell or selling any liquors in violation of the preceding section, shall be fined not less than one hundred dollars nor more than three hundred dollars or be imprisoned in the state workhouse and house of correction for a period not exceeding three months.

Penalty for violating preceding section.

SEC. 6. Every person keeping for sale or offering to sell or selling any spirituous or intoxicating liquors which are adulterated with any poison or deleterious ingredients injurious to health, shall be fined not less than three hundred dollars nor more than five hundred dollars or be imprisoned in the state workhouse and house of correction for not less than three months nor more than six months, and upon the second conviction of a violation of this or of any preceding section of this chapter, the person convicted shall be sentenced to be both fined and imprisoned.

Penalty for selling, etc., liquors adulterated, etc.

SEC. 7. In addition to the penalties hereinbefore provided for keeping or for offering for sale or for selling impure or adulterated liquors, all such liquors and the casks, barrels or other vessels containing the same shall be forfeited to the state, and a warrant for their seizure may issue upon complaint for keeping for sale, selling or offering for sale any liquors in violation of the provisions of this chapter, if such complaint shall charge that the offender kept such adulterated or impure liquors for sale, and the officer charged with the service of any such warrant, in addition to apprehend-

Liquors to be forfeited.

Premises may be searched, when, etc.

ing such offender, shall search the premises and seize the liquors in such warrant described, and hold such liquors to abide the event of the suit; and if the accused shall be found guilty, the said liquors, if they shall be found to be his, shall be adjudged to be forfeited to the state and be ordered to be destroyed under the direction of the court before which he shall be tried; otherwise, the officer having the custody of such liquors shall return them to the place from which he took the same.

What, evidence of keeping for sale.

SEC. 8. The having in possession, in a place of business or in any place, building or dwelling where liquors are sold, of one gallon, or upwards, of impure or adulterated liquors shall be evidence that such liquors are kept for sale by the person in whose possession such impure or adulterated liquors may be found.

Penalty for false certificate of assay.

SEC. 9. Every assayer or deputy assayer who shall give any false certificate of the quality of liquors assayed under the provisions of this chapter shall be imprisoned three months.

Penalty for accepting reward or gratuity.

SEC. 10. No assayer or deputy assayer appointed hereunder shall accept any reward or gratuity from any person in any way engaged in the sale of liquors, and every such assayer or deputy assayer receiving any such reward or gratuity shall be fined one hundred dollars or be imprisoned not exceeding three months.

Gen. Stat.
Chap. 119.

CHAPTER 131.

OF MEDICINES AND POISONS.

SECTION

1. Who may retail, compound or dispense medicines or poisons.
2. Who to be a registered phar-

SECTION

macist or assistant pharmacist. Graduate in pharmacy, practising pharmacist and practising assist-

SECTION	SECTION
ant in pharmacy defined.	macist, etc.; exception of
3. State board of pharmacy, how appointed and duties of.	sale of domestic medicines, when.
4. Certificates of the secretary and the registrar of pharmacists to be evidence. Fee for certificate.	8. Practitioners of medicine and wholesale dealers in drugs and medicines, how far excepted from foregoing provisions.
5. Of examination, registration and certificates, and fees for, and of renewal of registration.	9. Certain poisons, regulations for the sale of.
6. Certificate to be used in but one place of business, etc.	10. Penalty for adulterating, etc., drugs and medicines, and for selling same knowing them to be adulterated.
7. Penalty for falsely assuming to be a registered phar-	Board of pharmacy to prosecute, etc.

SECTION 1. No person, unless a registered pharmacist or registered assistant pharmacist in the employ of a registered pharmacist, or unless acting as an aid under the immediate supervision of a registered pharmacist or a registered assistant pharmacist, within the meaning of this chapter, shall retail, compound or dispense medicines or poisons, except as hereinafter provided.

Who may retail, compound or dispense medicines or poisons.

SEC. 2. Every person in order to be a registered pharmacist or a registered assistant pharmacist, within the meaning of this chapter, shall be either a graduate in pharmacy, a practising pharmacist or a practising assistant in pharmacy. Graduates in pharmacy shall be such as have obtained a diploma from a regularly incorporated college of pharmacy and shall have presented satisfactory evidence of their qualifications to the state board of pharmacy. A practising pharmacist shall be deemed to be a person, who, on the twenty-fourth day of March, one thousand eight hundred seventy-one, kept and continued thereafter to keep an open shop for compounding and dispensing the prescriptions of medical practitioners and for the retail-

Who to be a registered pharmacist or assistant pharmacist.

Graduate in pharmacy.

Practising pharmacist.

ing of drugs and medicines, and who shall give to the state board of pharmacy satisfactory evidence of his qualifications and shall have declared his intention in writing of keeping open shop for the compounding of prescriptions and the retailing of drugs and medicines, and such other persons as shall have given to the state board of pharmacy satisfactory evidence of their qualifications and shall have declared their intention in writing of keeping open shop for the compounding of prescriptions and the retailing of drugs and medicines. A practising assistant in pharmacy shall be deemed to be a person who shall have served three years apprenticeship in a shop where the prescriptions of medical practitioners are compounded, and shall have passed a satisfactory examination before the state board of pharmacy.

SEC. 3. The state board of pharmacy shall consist of seven persons, to be appointed by the governor from the registered pharmacists of the state, and shall hold office for the term of three years and until their successors are appointed, and in case of vacancy at any time, arising from resignation, death or removal from the state, the governor may fill such vacancy from the registered pharmacists of the state. Four members of said board shall constitute a quorum. Said board shall organize by the election of a president and secretary, both of whom shall sign all certificates and other official documents. Said board shall meet twice a year and may make by-laws and all necessary regulations, not repugnant to law, for the proper fulfilment of their duties. The presiding officer of said board may administer oaths in relation to all matters connected with or in the administration of the duties of the board. The secretary of said board shall also be registrar of pharmacists. The said board shall examine

Practising assistant in pharmacy.

State Board of pharmacy, how appointed, and duties of.

all applicants for registration, shall direct the registration, by the registrar of all persons properly qualified or entitled thereto and shall report annually to the general assembly on the condition of pharmacy, together with the names of all registered pharmacists and assistant pharmacists. The registrar of pharmacists shall keep a book in which shall be entered, under the supervision of the state board of pharmacy, the name and place of business of every person who shall apply for registration. The registrar shall note the fact against the name of any registered pharmacist, or assistant pharmacist, who may have died or removed from the state, or disposed of or relinquished his business, and shall make all necessary alterations in the location of persons registered under this chapter.

SEC. 4. The certificate of the secretary of the state board of pharmacy and registrar of pharmacists as to any matter of record of said board or of the non-existence of any matter in the record of said board, as to which said secretary may be called upon to testify in his official capacity, shall be admissible evidence in any court in this state of the existence or non-existence of such matter. Said secretary shall be paid the sum of twenty-five cents for every such certificate, which sum shall be taxed in the costs of any proceedings pending in any court in which the same shall be offered as evidence.

Certificates of secretary and of registrar to be evidence

P. L. Chap. 468.

SEC. 5. Every person applying for examination and registration shall pay to the state board of pharmacy ten dollars, and on passing the examination required shall be furnished, free of expense, with a certificate of registration. Every registered assistant pharmacist may, with the consent of said board, be entitled to registration as a registered pharmacist and shall be furnished with a certificate of registration,

Of examination, registration and certificates.

for which certificate he shall pay the registrar one dollar. Every certificate issued by said board shall be renewed annually, for which renewal one dollar shall be paid to the registrar. The fees received for examinations, registration and certificates shall be appropriated to defray the expenses of the state board of pharmacy. The registration of every person registered by the board shall expire on the first day of July next ensuing the granting thereof; and if any person so registered shall not apply for a renewal of his registration on or before the first day of July, annually, the registrar of pharmacists shall note the fact against the name of such person, who shall thereafter cease to be a registered pharmacist or registered assistant pharmacist. Said board may, in their discretion, refuse to renew any such registration, and may at any time, for good and sufficient cause, discontinue any registration previously granted.

SEC. 6. The certificate issued by said board shall be used by the person to whom issued in but one place of business; but said board may permit such person, in removing to another place of business, to continue the use of such certificate with the same force and effect as in the place for which such certificate was issued. Such person, on removing, shall notify said board of the change of his place of business, and failing so to do shall cease to be a registered pharmacist. No registered pharmacist shall be the proprietor or manager of more than one place of business, unless he shall at each place of business by him owned or managed at all times when open keep one or more registered assistant pharmacists.

SEC. 7. Every person, not a registered pharmacist, who shall keep open shop for the retailing and dispensing of medicines and poisons, or who shall take, use

Fees.
P. L. Chap. 662.

Of renewal of
registration.

Certificate to be
used in but one
place of business,
etc.

P. L. Chap. 662.

Penalty for false-
ly assuming to be
registered phar-
macist, etc.

or exhibit the title of registered pharmacist, and every person who shall violate any of the provisions of this chapter shall, upon the first conviction, be fined fifty dollars and, upon the second and every subsequent conviction, shall be fined one hundred dollars; and all fines recovered shall enure, one half thereof to the use of the state and one half thereof to the use of the complainant: *Provided*, however, that in towns or parts of towns where there is no registered pharmacist within three miles, any person may sell the usual domestic medicines put up by a registered pharmacist and marked with his label; such person procuring annually a certificate from the state board of pharmacy therefor, and paying one dollar for such certificate.

Exception of sale of domestic medicines, when.

SEC. 8. Nothing hereinbefore contained shall apply to any practitioner of medicine who does not keep open shop for the retailing, dispensing or compounding of medicines or poisons, nor prevent him from administering or supplying to his patients such articles as he may deem fit and proper; nor shall it interfere with the making and dealing in proprietary medicines, popularly called patent medicines, unless such medicines be wholly or in part composed of some of the articles enumerated in schedule A of this chapter, nor with the business of wholesale dealers in supplying medicines and poisons to registered pharmacists and physicians, and for use in the arts; nor shall it apply to such wholesale dealers in drugs and medicines in the trade on the twenty-sixth day of March, one thousand eight hundred and seventy-four, as the state board of pharmacy shall in their discretion deem suitable persons, and who shall keep and maintain in their employ one or more registered assistant pharmacists, who shall have the sole charge and care of the compounding and dispensing of all medicines and poisons sold at retail.

Practitioners of medicine, and wholesale dealers in drugs and medicines, how far exempted.

P. L. Chap. 364.

Certain poisons,
regulations for
the sale of.

SEC. 9. No person shall hereafter sell, either by wholesale or retail, any of the poisons enumerated in schedule A of this chapter, without distinctly labeling the bottle, box, vessel or paper and wrapper or cover in which said poison is contained, with the name of the article, the word poison, and the name and place of business of the seller; and every registered pharmacist selling or dispensing any of said poisons shall first enter in a book, to be kept for that purpose only, and subject always to inspection by the state board of pharmacy or any officer or agent thereof or other proper authority, and to be preserved for at least five years, a record of the same in accordance with schedule B of this chapter: *Provided*, that if any of said poisons form a part of the ingredients of any medicine or medicines compounded in accordance with the written prescription of a medical practitioner, the same need not be labeled with the word poison: but all prescriptions, whether or not composed in part or in whole of any of said ingredients, shall be carefully kept by the pharmacist on a file or in a book used for that purpose only and numbered in the order in which they are received or dispensed, and every box, bottle, vial, vessel or packet containing medicines so dispensed, shall be labeled with the name and place of business of the registered pharmacist so dispensing said medicine, and be numbered with a number corresponding with that on the original prescription retained by said pharmacist on such book or file. Such prescriptions shall be preserved at least five years and shall be open to the inspection of the writer thereof and a copy shall be furnished free of expense whenever demanded by either the writer or the purchaser thereof.

Penalty for adulterating, etc., drugs and medicines, and selling same knowing them to be adulterated.

SEC. 10. Every person who shall knowingly adulterate, or cause to be mixed any foreign or inert substance with any drug or medicinal substance, or

any compound medicinal preparation recognized by the pharmacopœia of the United States or of other countries, as employed in medicinal practice, with the effect of weakening or destroying its medicinal power, or who shall sell the same knowing it to be adulterated, shall, in addition to the penalties prescribed in section seven hereof, forfeit to the use of the state all articles so adulterated found in his possession and shall be deprived of the right of practising as a pharmacist in this state thereafter. Whenever complaint shall be made of any violation of the provisions of this section, the state board of pharmacy, on being notified thereof, shall make investigation of the same, employing competent persons when necessary to make analysis of the articles alleged to be adulterated; and if such complaint shall be substantiated said board shall assist in making prosecution against the respondent.

Board of pharmacy to prosecute, etc.

SCHEDULE A.

Arsenic and its preparations.
Cotton Root and its preparations.
Corrosive Sublimate.
Cyanide of Potassium.
Ergot and its preparations.
Hydrocyanic Acid.
Opium and its preparations, paregoric excepted.
Oxalic Acid.

Savin.
Strychnia.
Volatile Oil of Bitter Almonds, of Pennyroyal, of Savin and of Tansy.
Proprietary or secret medicines recommended, sold or advertised as Emmenagogues and Parturients.

SCHEDULE B.

Form in which registered pharmacists and retail dealers in poison shall keep their poison-book.

Date.	Name of purchaser.	Name and quantity of poisons sold.	For what purpose said to be required.	Remarks.

SECTION 25. Fraudulent publication of birth, marriage or death, how punished.

Fraudulent publication of birth, marriage or death, how punished.

P. L. Chap. 597.

SEC. 25. Every person who shall wilfully send to the publishers of any newspaper for the purpose of publication, a fraudulent notice of the birth of a child or of the marriage of any persons or of the death of any person, shall be fined not exceeding one hundred dollars.

SECTION

13. Boards of health for cities.

SECTION

14. May affix penalties to health laws.

SEC. 13. The several town councils and boards of aldermen shall be *ex officio* boards of health in their respective towns, and may make such rules and regulations, not repugnant to law, as they shall judge proper, for the preservation of the health of the inhabitants thereof, the prevention and abatement of nuisances, the promotion of cleanliness, the removal of the causes and the prevention of the introduction and spread of any contagious or infectious disease therein; either by removing the inhabitants of their respective towns, or forbidding or regulating ingress or egress of persons to and from the same, or any parts thereof, or otherwise; and, in case of sea-port towns, by making rules and regulations respecting quarantine. The town council of any town, or the city council of any city, may establish such regulations as they may deem proper in reference to cattle or other animals coming from without this state by railroad, for the health and safety of such cattle and other animals, for preventing the obstruction of the public highways by them, for the safety of the people who may have occasion to use such highways, and with reference to the slaughtering,

or selling such cattle or other animals, or the flesh thereof, for human food, within the limits of their respective town or city: *Provided*, that the city council of any city may appoint a board of health for such city which shall have all or any part of the powers and duties of the board of aldermen as a board of health, as the city council may determine.

Boards of health for cities.

P. L. Chap. 68o.

SEC. 14. They shall affix penalties for the breach of such rules and regulations by them made in their said capacity, not exceeding three hundred dollars fine, or six months imprisonment, for any one offence, unless otherwise provided by law, said fine to enure, one half thereof to the use of the complainant, and one half thereof to the use of the town.

May affix penalties to health laws.

CHAPTER 151.

Gen. Stat.
Chap. 138.

GENERAL PROVISIONS FOR THE PROTECTION OF FISHERIES.

SECTION

1. Penalty for throwing into public tide waters substances deleterious to fish.
2. Vessels used in procuring fish oil, dressing fish, etc., lia-

SECTION

- ble for forfeiture incurred.
3. Penalty for boiling menhaden or pressing fish, on vessel in tide waters.

SECTION 1. Every person who shall throw into or deposit in or cause to be thrown into or to be deposited in any of the public tide waters of the state or upon the shores of any such tide waters any fish offal or any water impregnated with fish, unless the same be filtered in such manner as may be determined by the town council of the town wherein such deposit shall be made, and every person who shall cause any deleterious substance, resulting from the smelting or manufacture of copper or from other manufactures or from

Penalty for throwing into tide waters substances deleterious to fish.

P. L. Chap. 753.

other sources, which is destructive to fish or which repels them from coming into the said public waters or which shall do anything which tends to drive them therefrom, to be emptied, deposited or run into the said public waters, shall forfeit one hundred dollars.

Vessels, etc.,
used in procuring
fish oil, etc., lia-
ble for forfeiture
incurred.

SEC. 2. Every vessel, craft, boat or floating apparatus employed in the procuring of fish oil or in the dressing of bait for the mackerel fisheries or the dressing of fish for other purposes, in violation of this chapter, shall be liable for any forfeiture and costs resulting from prosecution hereunder, and the same may be attached on the original writ and held as other personal property attached may be held, to secure any judgment which may be recovered in any action brought to enforce any such forfeiture, and any person upon view of any offence in violation of this chapter may seize and detain any vessel, craft, boat or floating apparatus, the same to be detained for a period not exceeding six hours.

Penalty for boil-
ing menhaden,
or pressing fish
on vessel in tide
waters.

SEC. 3. Every person who shall boil any menhaden fish or press any fish for the purpose of extracting oil therefrom, on board of any vessel on any of the public tide waters, shall be fined not exceeding fifty dollars.

Gen. Stat.
Chap. 233.

CHAPTER 245.

OF OFFENCES AGAINST THE PUBLIC HEALTH.

SECTION

1. Sale of diseased and unwholesome provisions, knowingly, how punished.
2. Adulteration of food or drink, for sale, how.

SECTION

3. Killing, etc., for sale, or having for sale meat of calf less than four weeks old, how.

Sale of diseased,
etc., provisions,
how punished.

SECTION 1. Every person who shall sell any kind of diseased, corrupted, adulterated or unwholesome provi-

sions, whether for meat or drink, without making the same known to the buyer, shall be imprisoned not exceeding six months or be fined not exceeding two hundred dollars.

SEC. 2. Every person who shall adulterate, for the purpose of sale, any substance intended for food, or any wine, spirits, malt liquor or other liquor intended for drinking, shall be imprisoned not exceeding six months or be fined not exceeding two hundred dollars.

Adulteration of food or drink, how.

SEC. 3. Every person who shall kill, or cause to be killed, for the purpose of sale, any calf less than four weeks old, or shall sell, or have in his possession with intent to sell, the flesh of any calf which he knows to have been killed when less than four weeks old, shall be fined not exceeding twenty dollars.

Killing, etc., for sale, calf not four weeks old, how.

SECTION

1. Milk inspector to take two samples of food, etc.

SECTION

2. Repeal of acts inconsistent.

Pub. Laws, Chap. 979.

SECTION 1. Whenever the milk inspector shall have reason to believe that adulterated produce or food is being sold or kept for sale contrary to law, he shall take at least two specimens from the same package or bulk as samples thereof, such specimens if solid not to exceed in weight one pound each, and if liquid not to exceed in measure one pint each. He shall take said samples in the presence of the owner or his agent, and shall seal and label the same in the presence of such owner or agent, said labels to state the kind of provisions or food and the name of the seller, and shall then and there deliver one of said samples to such owner or agent.

Milk inspector to take two samples.

In presence of owner.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 79.

OF NUISANCES.

SECTION

1. Town councils to provide for the removal of nuisances and causes injurious to health.
2. Orders of town councils to be executed by sheriffs and other officers.
3. Town councils may designate places for slaughtering animals.
4. Town councils, after notice, may withdraw the right to use such places.
5. Penalty for slaughtering in such places after notice.
6. Towns liable for damages consequent upon the withdrawal of such right.
7. Penalty for boiling bones, depositing filth, keeping swine or slaughtering cattle elsewhere than place designated by town council.

SECTION

8. Farmers may slaughter their cattle on their own premises.
9. Swine fed on swill, etc., brought from any other town, to be kept in place designated by town council.
10. Penalty for violation thereof.
11. Expressing oil from fish, except at place designated by town council, prohibited.
12. Penalty for so doing.
13. Town councils may prohibit burials in compact parts of town and regulate use of burial grounds, etc.
14. Town councils may designate places for the manufacture of deleterious articles or substances.
15. Further powers of town councils to regulate nuisances.

Town councils to provide for removal of nuisances, etc.

SECTION 1. If nuisances or other causes injurious to the health of the inhabitants of any town shall not be removed by the person permitting or erecting the same, as required by any order or regulation of the town council of the town, the town council shall adopt such measures as they shall deem effectual for the removal thereof, at the proper charge and expense of the person erecting or permitting the same.

Orders of, who to execute.

SEC. 2. The sheriff, his deputies and the town sergeants and constables of the several towns shall execute all such precepts and orders as shall be to them directed by said town councils for carrying into execution the provisions of the preceding section.

SEC. 3. The town councils of the several towns may designate and establish the place or places where the business of slaughtering cattle and other animals shall be carried on, and thereby vest in the occupant or owner thereof a right to use and occupy the same, for the purposes aforesaid, until such right be withdrawn or suspended in the manner hereinafter provided or until such use and occupancy be abated as a public nuisance.

May designate places for slaughtering animals.

SEC. 4. Whenever, in the judgment of the town council of any town, the convenience or health of said town requires the withdrawal or suspension of the right of slaughtering provided for in the preceding section, the said town council may withdraw or suspend said right, first giving to the owner or occupant of such place or places two months notice, in writing, of their intention to withdraw or suspend the same.

May withdraw right to use such places.

SEC. 5. Every person who shall, after notice given as aforesaid, commence or continue to carry on the business of slaughtering cattle or other animals in such place or places, shall be fined fifty dollars for every day during which he shall continue to carry on the same.

Penalty for slaughtering thereafter.

SEC. 6. In case of the suspension or withdrawal by any town council of the said right to slaughter cattle or other animals, the said town shall be liable to the person to whom such right has been granted for any loss or damage resulting from such suspension or withdrawal to be recovered by action in a special court of common pleas, in the manner provided by law for cases within the jurisdiction of said court.

Towns liable for damage caused by such withdrawal.

SEC. 7. Whenever the town council of any town shall have designated and established therein a place in which the business of boiling bones, depositing filth, keeping swine, or slaughtering cattle or other animals

Boiling bones, etc., keeping swine, etc., prohibited, except, etc.

may be carried on, as herein provided, every person who shall carry on such business in any other place shall be fined fifty dollars for each day on which he shall carry on the same.

Farmers may slaughter their cattle, etc.

SEC. 8. Nothing herein contained shall be so construed as to deprive any farmer, not engaged or concerned in the business of slaughtering cattle or other animals, from erecting or continuing to use any building on his premises for the purpose of slaughtering his own cattle or other animals from time to time as before accustomed to do.

Swine fed on swill, etc., to be kept where.

P. L. Chap. 750.

SEC. 9. No swine shall be kept in any town, to be fed on swill, offal or other decaying substances, brought from any other town, except in such place therein as shall be designated by the town council thereof.

Penalty.

P. L. Chap. 750.

SEC. 10. Every person violating the provisions of the preceding section shall be liable to the penalty prescribed in section seven of this chapter.

Of expressing oil from fish.

SEC. 11. No person shall carry on the business of expressing oil from fish within any town, except in such place therein as shall be designated by the town council thereof.

Penalty.

SEC. 12. Every person violating the provisions of the preceding section shall be fined not less than one hundred dollars nor more than five hundred dollars.

Town councils may prohibit burials, etc.

SEC. 13. The town council of any town may prohibit burials in the compact or thickly populated parts of such town, and may make such by-laws and ordinances relating to the same, and the use of grounds for burials in such compact parts, as they may think necessary for preserving the health thereof, and may enforce such ordinances in the manner provided in sections one and two of this chapter.

May designate places for manufacture of any article, etc.

SEC. 14. The provisions of sections three, four,

five and six of this chapter shall extend to the place of any manufacture of, or of working in, any article or substance the manufacture of which shall be deleterious to the health of the neighborhood: *Provided*, that prior to any action of the town council under this section, public notice of the pendency of any petition therefor shall be given in such mode and for such time, as said council shall prescribe.

SEC. 15. The town councils of the several towns may make such rules and regulations as they shall deem necessary, to regulate and control the construction and location of all places for keeping swine, privy vaults, sinks, sink-drains, sink-spouts, cess-pools and the outlets thereof, and may provide for the summary removal or reconstruction of all such as shall be by them deemed prejudicial to the public health, and may make rules prescribing the location of stables, and the time and manner of removing manure therefrom, or from privy vaults or slaughter-houses, and for the driving of animals through the highways of their several towns; and every person violating any ordinance, rule or regulation made in pursuance of this section, shall be fined twenty dollars, to be recovered upon complaint and warrant before any justice court, to the use of the town wherein such violation shall occur.

Further powers of, to regulate nuisances.

CHAPTER 81.

Gen. Stat.
Chap. 74.

OF REGULATIONS FOR THE PREVENTION OF INFECTIOUS AND CONTAGIOUS DISEASES.

SECTION

1. Vessel infected with contagious disease not to anchor within one mile of any landing-place; no person to be landed from, or to

SECTION

- go on board of, such vessel, without license.
2. Signals to be kept in the shrouds of such vessel.
3. Persons leaving such vessel,

22 REGULATIONS FOR PREVENTION OF DISEASES.

SECTION

- without license, to be sent back, or confined, and to be fined.
4. Physician to be sent on board, to examine such vessel and persons on board; vessel to be secured.
5. Persons on board to be kept there or sent to hospital.
6. Persons appointed to take care of and cleanse infected goods in such vessels.
7. Goods when cleansed to be delivered to owner; charges a lien on the goods.
8. Goods not infected to be delivered to owner; if brought by land from infected place, to be cleansed or destroyed.
9. Infected goods landed clandestinely to be forfeited.
10. Town councils to adjust charges for securing vessel, cleansing goods and attending the sick.
11. Town to sue for such charges, if person liable refuses to pay.
12. Examination of suspected persons.
13. Householders, etc., to give notice of small-pox in their houses.
14. Penalty for neglecting to give such notice.
15. Duties of town councils upon receiving such notice.
16. Expense of guarding and cleansing infected houses, by whom paid.

SECTION

17. Town councils may remove infected persons.
18. Persons and houses infected not to be visited without license.
19. Physicians, etc., to give information of small-pox to town clerk or superintendent of health.
20. Town clerk to notify town council.
21. Penalty for violation of preceding two sections.
22. Flag to be placed at entrance of infected building.
23. Penalty for defacing or removing flag.
24. No person to leave infected house without permit.
25. Penalty for wilfully spreading any infectious disease.
26. Penalty on physician, surgeon and others, for neglect of duty.
27. Town councils may remove persons sick of infectious, etc., diseases, when.
28. Town councils to provide for gratuitous vaccination.
29. To contract with physicians to vaccinate; compensation thereof and notice by.
30. Record of vaccinations to be deposited in office of town clerk.
31. Town clerk to keep such records.
32. Powers of health officer of Newport in relation to vessels in Dutch Island harbor and the East River.

Vessel infected,
where to anchor,
etc.

SECTION 1. Every commander of any vessel which shall come into any port or harbor of the state, and

shall have any person on board sick of the small-pox or any other contagious or infectious distemper, or which has had any person sick of such distemper during the passage to such port or harbor, or shall come from any port or place usually infected with the small-pox, or where any other contagious or infectious distemper is prevalent, who shall bring such vessel to anchor in any of the ports or harbors of the state within the distance of one mile from any public ferry, pier or landing-place, or permit or suffer any person on board such vessel to be landed, or any person to come on board such vessel, without a license first had and obtained from the town council of the town where such vessel shall arrive, shall be fined four hundred dollars.

License required
to go on, or from.

SEC. 2. Such commander, on his arrival in any of the waters of the state, shall forthwith hoist and keep his colors in the shrouds of such vessel, as a signal that he has come from some such infected place or has infection or contagion on board.

Signals to be
kept in shrouds.

SEC. 3. If any person shall come on shore from on board such vessel, without license first had and obtained as aforesaid, the town council may send back such offender immediately on board such vessel, or confine him on shore in such convenient place as to them shall appear most effectual to prevent the spreading of any infection; and the person so offending shall satisfy and pay all charges that shall arise thereon, and shall also be fined forty dollars.

Penalty for leav-
ing such vessel.

SEC. 4. The town council of the town where such vessel shall arrive shall send a physician or other suitable person, to examine into and make report to them of the true state of such vessel and the people on board, at the charge of the master or owner of such vessel; and they shall forthwith put on board such

Physician to be
sent on board,
etc.

Keeper, and his duties.

vessel some suitable person or persons to secure said vessel, and effectually prevent any communication therewith, at the like charge of the master or owner thereof.

Persons on board, how disposed of, etc.

SEC. 5. The town council of such town shall confine on board such vessel, or send to some hospital or other suitable place, all persons who came in said vessel, for a convenient time, until such of them as have, or are likely to have, the small-pox or other infectious or contagious distemper, are perfectly recovered and cleansed from said distemper, or have passed a suitable quarantine, and also all persons who have gone on board said vessel without license as aforesaid, at the charge and expense of such persons respectively.

Infected goods to be cleansed

SEC. 6. The town council of such town shall appoint suitable persons to take effectual care that all goods, wares and merchandise imported in such vessel, which they think may hold and communicate the infection or contagion, are landed in some suitable place to be appointed by such council and cleansed in the manner by them directed, before they are permitted to be brought into any house, shop or warehouse, other than that in which they are cleansed as aforesaid.

Goods to be delivered when cleansed;

SEC. 7. Whenever such goods are sufficiently aired and cleansed, said persons shall give the owners or persons entitled to possession thereof a certificate to that effect; and the town council shall allow and order said goods, wares and merchandise, to be delivered to the owners thereof; and the charge and expense of airing, landing and cleansing such goods, wares and merchandise shall be borne by the respective owners; and such charge shall be a lien on such goods, wares and merchandise.

charges a lien on.

Goods not infected to be delivered to owner;

SEC. 8. All goods that are judged by the town council not to be infected shall be delivered to the owners without delay and expense of airing and as

soon as may be consistent with the safety of the town; and all goods, wares and merchandise imported into any town by land from any place infected with the small-pox or other contagious or infectious distemper, shall be aired and cleansed at the discretion of the town council of such town and at the expense of the owners thereof, as aforesaid, or destroyed if necessary.

if brought by land from infected place, how disposed of.

SEC. 9. All goods imported in such vessel as aforesaid, that shall be clandestinely landed or brought into any house, shop or warehouse without a certificate and allowance as aforesaid, or that shall be imported by land as aforesaid and not cleansed or aired by order of the town council as aforesaid, shall be forfeited; one third thereof to the use of the state and two thirds thereof to the use of the person who shall sue for the same.

Infected goods landed clandestinely, forfeited.

SEC. 10. The town councils of the respective towns shall fix, settle and adjust all wages and charges demanded by persons employed by them to secure such vessel, or to air and cleanse such goods, or to attend upon and nurse such persons as aforesaid.

Charges fixed by town councils.

SEC. 11. If any owner, freighter, mariner or passenger as aforesaid shall refuse to pay such wages and charges so settled, adjusted and fixed, then such town shall sue for and recover such wages and charges, and the court where such action is brought and maintained shall tax double costs for the plaintiff.

Town to sue for, when.

SEC. 12. The town council in any town may appoint proper persons at all ferries or places where to them it may seem necessary, to examine on oath all persons suspected of violating the provisions of the preceding section, and on reasonable cause of suspicion may bring such offenders before some magistrate, that they may be dealt with according to law.

Examination of suspected persons.

Householders,
etc., to give no-
tice of small-pox,
etc., in house.

SEC. 13. Every householder or person shall immediately inform the town council of the town wherein he dwells, of any person in the house or tenement occupied by him, who has been taken sick of the small-pox, or any other contagious or infectious distemper, or suspected to be so.

Penalty.

SEC. 14. Every person violating any provision of the preceding section shall forfeit twenty dollars to the use of the town.

Duties of town
councils, upon
receiving such
notice.

SEC. 15. Whenever the town council shall be so notified, they shall make proper examination by some physician or other skilful person; and if it be the small-pox or other contagious or infectious distemper wherewith such person is sick, they shall immediately set a proper guard to prevent the spreading of the contagion or infection, and shall remove said person to such place in the town as they shall think the most proper to prevent the spreading of the infection or contagion, or continue the said guard as aforesaid, as to them shall seem necessary; and they shall also confine, in some proper place, all such persons as may be by them suspected of having the distemper, until they are recovered and cleansed from the said distemper or have performed a suitable quarantine.

Expense of
guarding and
cleansing infect-
ed houses.

SEC. 16. Whenever the small-pox or other contagious or infectious distemper shall break out in any house, and the infected persons be confined to such house, the town shall be at the expense of guarding the same, and the owner at the expense of cleansing the same, to be fixed by the town council, which charges of cleansing, upon refusal to pay the same, shall be recovered by the town.

Town councils
may remove in-
fected persons.

SEC. 17. In case the small-pox or other contagious or infectious distemper shall break out in any house or family in any town, the town council thereof may

remove any inhabitants of said town, visited with the small-pox or other contagious or infectious distemper, to the hospital in said town, or other convenient place, in order to prevent the spreading of the infection; or otherwise, at their discretion, place a guard around the dwelling-house of the infected person, as to them it shall seem necessary.

SEC. 18. So long as the town council of any town shall endeavor to prevent the spreading of the small-pox, any persons who shall visit any person suspected to have the small-pox, or shall go into the house where persons so suspected are confined, without a license first had from the town council of the town or of the attending physician, shall forfeit for every such offence twenty dollars; one half thereof to the use of the town where such offence is committed, and one half thereof to the use of the person who shall sue for the same; and such persons shall be liable to be confined until they are suitably aired and cleansed or have performed suitable quarantine, at the discretion of the town council to whom complaint of the same shall be made.

Persons and houses infected not to be visited without license.

Penalty.

SEC. 19. Every physician, householder or other person, having knowledge of the existence of small-pox in any town, shall immediately give information thereof to the town clerk of the town in which the person is sick with the small-pox, and in cities shall give like information to the superintendent of health.

Physicians, etc., to give information of small-pox to town clerk, etc.

P. L. Chap. 289.

SEC. 20. Whenever the town clerk of any town shall have knowledge or shall have received information as provided in the preceding section, of the existence of small-pox in his town, he shall forthwith give or cause notice thereof to be given to the town council of such town, at the expense of the town, to be audited and allowed by the town council.

Town clerk to notify town council.

P. L. Chap. 289.

SEC. 21. Every physician, householder, town clerk

Penalty.

P. L. Chap. 289. or other person, violating any provision of the preceding two sections, shall be fined twenty dollars, or be imprisoned not exceeding ninety days, either or both in the discretion of the court.

Flag to be placed at entrance of infected building.

P. L. Chap. 289.

SEC. 22. Whenever any person shall be found to be infected with the small-pox in any town, the town council of such town and the superintendent of health in any city shall, within twenty-four hours after receiving information thereof, cause a white flag with the words small-pox in black letters, not less than six inches in length, incised thereon, so suspended or fastened as to be easily read, to be placed at or near the front door or principal entrance of the building in which such infected person is, and to be kept so placed so long as there shall be any danger of infection from said building.

Penalty for defacing or removing flag.

P. L. Chap. 289.

SEC. 23. Every person who shall deface or remove any such flag without the permission of such town council or superintendent of health shall be fined twenty dollars and be imprisoned not exceeding ninety days.

No person to leave infected house without permit.

P. L. Chap. 289.

SEC. 24. Every person in any house where there is any one sick with the small-pox or other contagious or infectious disease, or who is in any small-pox hospital, who shall voluntarily leave the same without a permit from the town council or the physician employed by such town council, or from the superintendent of health in cities, shall be fined twenty dollars and be imprisoned not exceeding ninety days.

Penalty for wilfully spreading infectious disease.

SEC. 25. Every person who shall be convicted of wilfully spreading the small-pox or other contagious or infectious distemper, within the state, shall be imprisoned for one year; and if any person shall die in consequence of the spreading of the small-pox or other contagious or infectious distemper as aforesaid, the person who shall be convicted of wilfully spreading the

same as aforesaid shall be fined not exceeding five thousand dollars and be imprisoned not more than five years nor less than one year.

SEC. 26. Every physician, surgeon or other person lawfully required by any town council to do any duty relating to the prevention of the spreading of the small-pox, under any provision of this chapter, who shall refuse or neglect to do the same, shall be fined forty dollars.

Penalty on physician and others for neglect of duty.

SEC. 27. In case any person shall hereafter be sick of any malignant, pestilential or infectious disease in any town, so that his life would be endangered by his removal, or in case it shall appear that the disease be so spread that the atmosphere, in the judgment of the town council, has become so contaminated as to endanger the lives of those persons who reside in or go into the neighborhood of the sick, the town council of such town may cause all persons so sick within such neighborhood to be notified to remove therefrom within three days; and if after that time any person shall remain there, the said town council may cause him to be forthwith removed at his own expense: *Provided*, that the expense of the removal of the poor, or of such as are unable in the judgment of the town council to remove themselves, shall be paid out of the town treasury.

Town council may remove persons sick of infectious, etc., diseases, when.

SEC. 28. The town councils in the several towns shall provide annually for the gratuitous vaccination of the inhabitants thereof.

Gratuitous vaccination.

SEC. 29. The town councils shall contract with and provide a suitable number of physicians to vaccinate as aforesaid; and order the town treasurers of the several towns respectively to pay them such compensation as may be previously agreed upon; and the said physicians shall give due and reasonable notice of the time

Vaccinators, contract with; compensation of, and notice by.

and place of meeting for the purpose of vaccination.

Record of vaccinations.

SEC. 30. Such physicians, as soon after fulfilling said contract as may be convenient, shall deposit in the town clerk's office a book, in which shall be by them respectively recorded, in a fair and legible hand, the name and age of every person by them vaccinated as aforesaid, and also such other remarks and observations as they may deem useful.

Where to be kept, etc.

SEC. 31. Such town clerks shall safely keep said books for the accommodation of such physicians and others, without any compensation, and deliver the same over to their successors; but they may charge lawful fees for searching the same or for any copies.

Powers of health officer of Newport.

SEC. 32. The health officer of the city of Newport shall, under the direction of the board of aldermen of said city, have authority concurrent with the town councils of the several towns in the county of Newport bordering on the public waters of the state, in all matters arising under this chapter in relation to any vessel coming within Dutch Island harbor or within the waters of the East river below the bridges between Portsmouth and Tiverton.

Gen. Stat.
Chap. 75.

CHAPTER 82.

OF QUARANTINE.

SECTION

1. Health officer may be appointed in seaport towns; his duties and compensation.
2. Rules respecting quarantine to be published.

SECTION

3. Town councils to prescribe ports from which vessels arriving shall be subject to quarantine.
4. Town councils to designate place where vessels sub-

SECTION	SECTION
ject to quarantine shall anchor; quarantine limits and time of detention.	9. Persons on board vessels bound to port of Providence, subject to quarantine, prohibited from leaving same, without permission.
5. Sentinel to be appointed, his duties and how paid.	10. Penalty for leaving such vessels.
6. Penalty for neglecting to anchor vessel upon being directed by the sentinel.	11. Sheriffs and other officers to carry into effect quarantine regulations.
7. Vessel to be anchored on quarantine ground at expense of owners.	12. Fines, how recovered.
8. Penalty for leaving vessel under quarantine, without permission.	

SECTION 1. Each seaport town, or the town council thereof, may appoint a health officer for such town, who shall visit all vessels which shall be subject to examination or quarantine, and carry into execution all regulations established by the town council, and shall be at all times accountable to said town council, and shall receive for his services such compensation as said council may allow, to be paid by the owners, agents or commanders of such vessels as may be subjected to quarantine or examination.

Health officer in seaport towns; his duties and compensation.

SEC. 2. Such town council shall cause to be published in one or more newspapers published in the state, within or nearest the town wherein such rules and regulations shall be adopted, at the expense of the town, all rules and regulations made by them respecting quarantine.

Town councils to publish rules respecting quarantine.

SEC. 3. They shall prescribe from time to time the several ports, places or countries from which vessels arriving shall be subject to examination or quarantine.

May prescribe quarantine, etc.

SEC. 4. They shall designate the particular place in the harbor, bay or river, adjacent to such town,

To designate place of anchorage, define quarantine limits, etc.

where all ships or vessels arriving, subject to examination or quarantine, shall come to anchor; and shall define the limits of such quarantine ground, and assign the time for which such ships or vessels shall be detained, and where and how unladen.

Sentinel to be appointed, his duties, and how paid.

SEC. 5. They may appoint a sentinel, who shall be paid by the town and be stationed in some convenient place on shore, or in some boat or vessel properly situated, to hail all ships or vessels which may arrive in such river, bay or harbor; and if such sentinel shall find that any ship or vessel is subject to quarantine, he shall direct the commander thereof to come to anchor within the limits of such quarantine ground, and there remain until visited by the health officer, and to place a signal in the shrouds of said vessel in such manner as to be seen at a proper distance.

Penalty for neglect to anchor.

SEC. 6. Every commander of a ship or vessel who shall, upon being hailed and directed by such sentinel, refuse or neglect to bring his ship or vessel to anchor within the limits as above described, shall be fined not exceeding five hundred dollars nor less than twenty dollars, to the use of the town.

Vessel to be anchored at owner's expense.

SEC. 7. The town council may order such ship or vessel to be anchored on the quarantine ground, at the expense of the owners, master or commanding officer thereof, there to remain until legally discharged therefrom.

Penalty for leaving quarantined vessel.

SEC. 8. Every person who shall leave any ship or vessel under order of quarantine, without permission from the health officer or the town council of such town, shall be fined not exceeding twenty dollars; and said town council may order such person to be returned on board of such vessel, there to remain until said council order him to be dismissed.

Of vessels bound to Providence.

SEC. 9. If any vessel shall arrive in the waters of

the state, bound to the port of Providence, at any time while the quarantine regulations of the city of Providence are in force, no person on board such vessel shall leave the same until such vessel shall have been visited and examined by the health officer of said city, and permission to land therefrom shall have been given by such health officer or by the board of aldermen of said city, to such person, to enter therein.

SEC. 10. Every person leaving such vessel, as aforesaid, without such permission first had and obtained, shall be fined not exceeding twenty dollars; and said board of aldermen may cause such person to be returned to such vessel in case she is under quarantine, there to remain until permitted to depart therefrom.

Penalty for leaving such vessel.

SEC. 11. Every sheriff, deputy sheriff, town sergeant and constable shall carry the rules and regulations of the town council within his precinct, into effect.

Officers to enforce rules.

SEC. 12. The fines for the violation of any of the provisions of this chapter shall be recovered to the use of the town where the offence was committed.

Fines, how recovered.

CHAPTER 83.

P. L. Chap. 680.
P. L. Chap. 794.

OF THE STATE BOARD OF HEALTH.

SECTION

1. State board of health, members, how appointed and removed; vacancies, how filled.
2. Duties of the board, with reference to life and health among the citizens of the state.
3. To investigate diseases among cattle, etc.
4. Board, when and where to

SECTION

- meet, and compensation of.
- 5, 6 and 7. Secretary of the board, how elected, his duties, salary and tenure of office.
8. Governor to provide an office for the board; expenses of board, how paid.
9. Board to report annually to general assembly.

SECTION 1. The governor with the advice and con-

State board of health, appointment of.

sent of the senate shall appoint six persons, two from the county of Providence and one from each of the other counties, who shall constitute the state board of health, one of whom shall be appointed in each year for the term of six years from the first day of July. Any appointment to fill a vacancy shall be for the remainder of the term. Of the persons so appointed, at least three shall be well educated physicians and members of some medical society incorporated by the state. The governor may remove any member for cause, at any time, upon the written request of two thirds of the board.

Vacancy, how filled.

Removal, how made.

Duties of the board, with reference to life and health among the citizens of the state.

SEC. 2. The board shall take cognizance of the interests of life and health among the citizens of the state; they shall make investigations into the causes of disease, and especially of epidemics and endemics among the people, the sources of mortality, and the effects of localities, employments, conditions and circumstances on the public health, and shall do all in their power to ascertain the causes and the best means for the prevention of diseases of every kind in the state. They shall publish and circulate, from time to time, such information as they may deem to be important and useful for diffusion among the people of the state, and shall investigate and give advice in relation to such subjects relating to the public health, as may be referred to them by the general assembly or by the governor when the general assembly is not in session.

To investigate diseases among cattle, etc.

SEC. 3. The state board of health shall also investigate the subject of diseases among cattle or other animals.

Meetings.

SEC. 4. The board shall meet in the city of Providence once in three months, and as much oftener as they may deem necessary. No member of the board,

except the secretary, shall receive any compensation for his services; but the actual personal expenses of any member, while engaged in the duties of the board, shall be paid by the state. Compensation.

SEC. 5. The board shall elect a well qualified physician as their secretary, who shall be *ex officio* a member of the board, the commissioner of public health and state registrar, but he shall not be permitted to vote on any question in which he is personally interested or be entitled to any additional compensation for mileage or expenses. Secretary.
P. L. Chap. 794.

SEC. 6. The secretary of the board shall make inquiry from time to time, of the clerks of town and local boards of health and practising physicians in relation to the prevalence of any disease, or knowledge of any known or generally believed source of disease or causes of general ill-health, and also in relation to the proceedings of the said boards of health, in respect of acts for the promotion and protection of the public health, and also in relation to diseases among domestic animals in their several towns; and the said clerks of town and local boards of health and said practising physicians shall give information, in reply to said inquiries, of such facts and circumstances as shall have come to their knowledge. Duties of
secretary.
P. L. Chap. 794.

SEC. 7. The secretary shall perform and superintend the work prescribed for said board by law and such other duties as the board may require; he shall prepare and publish in every calendar month a general summary of all the deaths and causes of the same which had occurred in the state during the preceding month, the same to be made up from returns of deaths which shall be sent to him on or before the tenth day of the month following the date of such deaths, by the several town and city clerks and the city registrar of Provi- Duties of
Secretary.

dence city; he shall also prepare and publish for general distribution a monthly circular giving information and advice in regard to the preservation of health, suitable for each particular season, and giving also such information as he shall deem of advantage to the public, as to the prevalence and character of infectious diseases of domestic animals, and for such service he shall receive the sum of seventeen hundred dollars annually, or such proportion thereof as the said board may determine. He shall hold his office during the pleasure of the board and may be removed at any regular meeting by a majority vote of the members of said board.

Salary

Tenure of office.

Office

Expenses of board

To report annually.

P. L. Chap. 794

SEC. 8. The governor shall provide a suitable office for the board in the city of Providence, and the actual expenses of the board and of the members thereof, when certified by the chairman and approved by the governor, shall be paid from the state treasury.

SEC. 9. The board shall make a report in print to the general assembly, annually, of its proceedings during the year ending on the thirty-first day of December next preceeding, with such suggestions in relation to the sanitary laws and interests of the state as they shall deem important.

Gen. Stat.
Chap. 76.

CHAPTER 84.

OF CONTAGIOUS DISEASE AMONG CATTLE.

SECTION

1. Penalty for bringing animals infected with contagious disease into the state, or exposing same to other animals.
2. Town councils may pass ordinances to prevent spread

SECTION

- of infectious or contagious diseases.
3. State board of health may prohibit introduction of cattle into state; penalty for violation of such prohibition.

SECTION	SECTION
4 and 5. Duties of board in relation to contagious diseases, prevailing among cattle, etc.	for cattle killed by order of board; penalty for non-compliance with regulations.
6. Penalty for selling diseased cattle, or milk from same.	8. Regulations made by board, to supersede those of towns.
7. Board may make necessary regulations for prevention, cure, etc., of disease; mode of compensating owners	9. Orders, etc., how signed.
	10. Limitation of prosecutions under this chapter.

SECTION 1. Every person bringing into the state any neat-cattle or other animals which he knows to be infected with any infectious or contagious disease, or who shall expose such cattle or other animals, known to him to be so infected, to other cattle and animals not infected with such disease, shall be fined not less than one hundred dollars nor more than five hundred dollars.

Penalty for bringing infected animals into state, or exposing same.

SEC. 2. The town councils of the several towns may pass such ordinances as they may think proper, to prevent the spread of infectious or contagious diseases among cattle and other animals within their respective towns, and may prescribe penalties for the violation thereof, not exceeding twenty dollars for any one offence.

Town councils may pass ordinances to prevent infection.

SEC. 3. The state board of health may prohibit the introduction of any cattle or other domestic animals into the state. Every person who shall bring, transport or introduce any cattle or other domestic animals into the state, after said board or any one of them shall have issued an order forbidding the same, or after said board shall have published for five successive days in such newspapers published in this state as the said board may direct, an order forbidding such introduction, shall be fined not exceeding three hundred dollars for every such offence; and every officer or

State board of health may prohibit introduction of cattle into state.

P. L. Chap. 68o.

Penalty.

agent of any company or other person who shall violate such order, shall be subject to the fine aforesaid. In case of the introduction into the state of cattle or other domestic animals, contrary to the order of said board, the introduction of each animal shall be deemed a separate and distinct offence.

Duties of board relative to contagious disease among animals.

P. L. Chap. 68o.

SEC. 4. Said board shall endeavor to obtain full information in relation to any contagious disease which may prevail among cattle or other domestic animals near the borders of the state, and shall publish and circulate such information in their discretion; and should any such disease break out, or should there be reasonable suspicion of its existence among cattle or other domestic animals in any town in the state, they shall examine the cases, and publish the result of their examination, for the benefit of the public.

Same subject.

P. L. Chap. 68o.

SEC. 5. Said board may appoint suitable and discreet persons, on or near the several highways, turn-pike-roads, railroads and thoroughfares in the state, who shall inquire into all violations of this chapter and report the same to said board.

Penalty for selling diseased cattle, or milk from same.

P. L. Chap. 68o.

SEC. 6. Every person who shall sell, or offer to sell any cattle or other domestic animals, or any part thereof, known to him to be infected with any contagious disease, or with any disease dangerous to the public health, or who shall sell, or offer to sell any milk from any such cattle or other domestic animals, shall be fined not exceeding one thousand dollars or be imprisoned not exceeding two years, either or both, in the discretion of the court.

Of regulations for prevention, etc., of disease

P. L. Chap. 68o.

SEC. 7. Said board may make all necessary regulations for the prevention, treatment, cure and extirpation of such disease; and the value of all cattle or other domestic animals killed on the written order of said board shall be appraised by three disinterested

Compensation for cattle killed.

persons to be appointed by said board, such appraisal to be made immediately before the cattle or other domestic animals are killed, and the amount of such appraisal shall be paid by the state, to the owner of such cattle or other domestic animals; and every person who shall fail to comply with any regulation so made shall be fined not exceeding three hundred dollars or be imprisoned not exceeding one year.

Penalty.

SEC. 8. Whenever said board shall make and publish any regulations concerning the extirpation, cure or treatment of cattle or other domestic animals infected with, or which have been exposed to any contagious disease, such regulations shall supersede the regulations made by the authorities of the several towns and cities upon the same subject; and the operation of such regulations made by said authorities shall be suspended during the time those made by said board shall be in force.

Regulations of board to supersede those of towns.

P. L. Chap. 68o.

SEC. 9. All orders, appointments and notices from said board, except the order of notice provided for in section three, shall bear the signature of the president or chairman and secretary.

Orders, etc., how signed.

P. L. Chap. 68o.

SEC. 10. All prosecutions for offences against the provisions of this chapter shall be commenced within thirty days after the same shall have been committed, and not afterwards.

Limitation of prosecutions.

SECTION

1. Notice to be given of contagious diseases among cattle and horses.
2. Sale, use, etc., of diseased animals prohibited.

SECTION

3. State board of health to have access, etc., to diseased animals.
4. Necessary expense, how paid.
5. Penalties.

P. L. Chap. 627.

SECTION 1. All persons having knowledge or reason to suspect that any neat cattle or bovine animal

Notice to be given of contagious diseases among cattle and horses.

has the contagious pleuro-pneumonia, or Texas cattle fever, or that any horse has glanders or farcy, or that any bovine animal or horse has any other highly contagious or infectious diseases dangerous to life, shall make report concerning the same by mail or otherwise to the secretary of the state board of health immediately, giving the name of the owner or custodian of the said animal or animals, and place of keeping of the same.

Sale, use, etc., of diseased animals prohibited.

SEC. 2. No person having the care or custody of any animal having any one of the diseases mentioned in the preceding section, shall, knowing the same to have any such disease, sell, or exchange or permit the removal, use or driving of the same upon any public highway, or the exposure of the same to contact with any other healthy animal of the same kind, except by permission of some member or agent of the state board of health.

State board of health to have access, etc., to diseased animals.

SEC. 3. All persons having the care or custody of any domestic animal having or suspected of having any fatally infectious disease, shall permit any member of the state board of health or any authorized agent of the said board to have access to, and the full examination of, any such animal, and if such animal shall have any such disease any person so having the care and custody of such animal shall securely and safely keep the same entirely isolated from all other animals of the same kind, when so directed by any member of the state board of health or its authorized agent.

Necessary expenses, how paid.

SEC. 4. Whenever any necessary expense has been incurred in the performance of the duties required by chapter 84 of the Public Statutes and amendments and additions thereto, by any member or authorized agent of the state board of health, or any person acting under the order of said board or its agent, an itemized ac-

count of the same shall be presented the said state board of health, and said board shall make such full or partial allowance of such itemized account as shall be deemed just and reasonable, and upon such approved allowance when certified by the president of the said board and approved by the governor, the state auditor shall draw his order on the general treasurer for the payment of the same out of any moneys not otherwise appropriated.

SEC. 5. Every person violating the provisions of this act shall be subject to the penalties provided in chapter 84 of the Public Statutes, of which this act is in addition, and all acts and parts of acts inconsistent herewith are hereby repealed. Penalties.

SEC. 6. This act shall take effect immediately on and after its passage.

CHAPTER 85.

Gen. Stat.
Chap. 77.

OF THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

SECTION	SECTION
1. Town clerks or registers to record and make annual returns of births, deaths and marriages to secretary of state board of health.	7. Appointment of undertakers.
2. Secretary to publish abstract of returns, etc.	8. Undertakers' return to town clerks.
3. Forms of records of births, deaths and marriages, and what to contain.	9. Towns to pass ordinances to secure registration, etc.
4. Monthly returns of marriages to be made to town clerks.	10. Fees of town clerks, etc.
5. Town clerks to collect information relative to births.	11. Penalties upon clergyman, physician, undertaker, etc., for wilful neglect of registration duty.
6. Attending physicians to certify in relation to deaths or in case of still-born child.	12. Names and residence of clergymen, physicians, coroners, undertakers, and clerks of the Society of Friends, to be recorded.
	13. Letters of administration, or testamentary, not granted until record of death.

SECTION

14. Custody of records, and certified copies of, evidence.
15. Returns of births, etc., of non-residents, how distinguished.
16. Power of secretary to require additional returns.
17. Fees of town clerks, etc., for collecting, recording and returning births.
18. Statistics of births, enrolled

SECTION

18. militia and school census to be collected in January; Providence, how far exempted.
19. Blanks for such statistics, how furnished.
20. Returns to be made to town clerk, when.
21. Returns of divorces, how to be published.

Of record and returns of births, deaths and marriages.

P. L. Chap 680.

SECTION 1. The town clerks of the several towns, or any person whom the board of aldermen of any city, or the town council of any town may appoint for that purpose, shall obtain, chronologically record and index, as required by the forms prescribed by section three of this chapter, all information concerning births, marriages and deaths occurring among the inhabitants of their respective towns; and on or before the first Monday in March, annually, shall make duly certified returns thereof to the secretary of the state board of health for the year ending on the thirty-first day of December next preceding, accompanying the same with a list of the persons required by law to make returns to them who have neglected to do so, and with such remarks relating to the object of this chapter as they may deem important to communicate.

Abstract of registration returns to be published.

SEC. 2. The secretary of the state board of health shall receive the returns made in pursuance of the preceding section, and annually make a general abstract and report thereof in form as prescribed by section 3 of this chapter, and publish not exceeding one thousand copies thereof, and for preparing, tabulating and publishing said annual report, the sum of five hundred dollars shall be paid to the state registrar. Said returns after such report is prepared shall be deposited in the

Compensation.

Returns, where to be deposited, etc.

office of the secretary of state, who shall cause the same to be arranged, full alphabetical indices of all the names to be made, and the whole to be bound in volumes of convenient size and carefully preserved in his office.

SEC. 3. The blank forms required to carry out the provisions of this chapter shall, on application, be furnished by the secretary of the state board of health to clergymen, physicians, undertakers, town clerks, clerks of meetings of the Society of Friends and other persons requiring them, substantially as follows: The record of a birth shall state the date and place of birth, name and sex of the child, whether born alive or still-born, the name and surname, color, occupation, residence and birthplace of the parents, and the time of recording, so far as the same can be ascertained. The record of a marriage shall state the date of the marriage, place, name, residence and official station of the person by whom married, names and surnames of the parties, age, color, occupation and residence of each, condition, that is whether single or widowed, what marriage, that is whether first, second, third or other marriage, the occupation, birthplace and name of their parents, and the time of recording, so far as the same can be ascertained. The record of deaths shall state the date of death, name and surname of deceased, the sex, color and condition, whether single or married, age, occupation, place of death, place of birth, names and birthplace of parents, disease or cause of death, and the time of recording, so far as can be ascertained.

Forms of records
of births, deaths
and marriages.

P. L. Chap. 68o.

SEC. 4. Every meeting of the Society of Friends, clergyman and all others authorized to join persons in marriage, shall make a faithful record of every such rite performed by them, in manner and form aforesaid,

Monthly returns
of marriages to
be made to town
clerks.

and return the same for the last preceding month on or before the second Monday of every month, to the town clerk of the town in which such rite shall have been performed; and no marriage shall be solemnized, until the parties shall have signed and delivered to the person about to solemnize it, or to the clerk of a meeting of the Society of Friends, a certificate containing the information required for the record of a marriage as prescribed by this chapter.

Town clerks to ascertain births.

SEC. 5. The town clerk of every town shall annually, in the month of January, collect the information required by this chapter, in relation to all children born in the town during the year ending on the thirty-first day of December next preceding.

Certificate required in case of death or of still-born child

SEC. 6. Whenever any person shall die, or any still-born child shall be brought forth in this state, the physician attending at such bringing forth or last sickness, if any physician so attended, shall, within forty-eight hours after such death or bringing forth, leave with the family, if any, or person having the care of the deceased, or the person bringing forth such still-born child, or give to the undertaker or person who conducts the funeral a certificate stating, in case of a death, the name of the deceased, the date of the death, and the disease or cause of the death, and in case of the bringing forth of a still-born child, the date and the cause of such child being brought forth still-born: *Provided*, however, if the physician last in attendance shall not have knowledge of such death, or is otherwise reasonably prevented from leaving with the family or giving the undertaker such certificate within the time hereinbefore specified, or before the funeral or disposal of the remains of the deceased, he shall within five days after having knowledge of such death by notification or otherwise, send to the town or city clerk or

registrar of the town or city in which such death occurred, a certificate stating the name, date and disease or cause of death of such decedent.

SEC. 7. Every town council may appoint a sufficient number of persons to act as undertakers, removable at the pleasure of such council. Undertakers.

SEC. 8. No undertaker or other person shall conduct a funeral, or bury or deposit in a tomb, or remove from this state, or otherwise dispose of the remains of any deceased person or still-born child unless he shall first obtain the physician's certificate required by section six of this chapter, if a physician was in attendance upon such person who has deceased, or the person bringing forth such still-born child, and shall return the same, together with his own certificate of the information required by section three of this chapter, to the town clerk of the town where such death or bringing forth took place: *Provided*, however, that in such towns as allow the burial or removal of the bodies of deceased persons without a permit from the town clerk, and if the undertaker or other person who has charge of the disposal of the remains of the deceased person, is unable to obtain the said physician's certificate after reasonable attempts therefor before the burial or removal of the said remains, then the said undertaker or other person shall make his return as required by section three of this chapter, including the cause of death and the name of the physician last in attendance upon the deceased, immediately to the town or city clerk or registrar of the town or city in which the death occurred. He shall also within two days thereafter notify the physician last in attendance upon the deceased person of the name and date of death of the same. Undertaker's returns to town clerks, etc.

Of town ordinances.

SEC. 9. Any town may make ordinances more effectually to attain the objects herein contemplated.

Fees of town clerks, etc.

SEC. 10. The town clerks, or persons appointed as aforesaid, shall receive for each record of a death made and returned as required by law, and for each record of a marriage made and returned as required by law, twenty cents, to be paid to them out of their respective town treasuries: *Provided*, that the yearly compensation to be paid out of the town treasury as aforesaid, to any one town clerk or person appointed as aforesaid, who shall perform the duties prescribed by this chapter shall not be less than five dollars. Undertakers and others making returns of death as required by sections (six and eight) of this chapter shall receive for each full report of a death made to the town clerk, five cents in the cities of Providence and Newport, and ten cents in the other towns of the state.

Penalty.

SEC. 11. Every clergyman, physician, undertaker, town clerk, clerk of any meeting of the Society of Friends, or other person who shall wilfully (or unreasonably) neglect or refuse to perform any of the duties imposed on or required of him by this chapter, shall be fined not exceeding twenty dollars, nor less than two dollars for each offence, one-half thereof to the use of the town in which the offence shall occur, and one-half thereof to the use of the person who shall complain of the same.

Record of name of clergyman, physician, etc.

SEC. 12. Every clergyman, physician, coroner, undertaker, (medical examiner,) or clerk of any meeting of the Society of Friends, shall cause his name, residence, and post office address to be recorded in the town clerk's office of the town where he resides.

Record of death before letters of administration, etc.

SEC. 13. No letters of administration or letters testamentary shall be granted by any court of probate,

upon the estate of any person, until the death of such person or the facts from which the same is presumed shall be duly certified, as near as may be, to the town clerk, in order that the same may be duly registered according to the provisions of this chapter.

SEC. 14. The town (and city clerks and registrars) of the several towns and cities shall have the custody of all records of births, deaths and marriages of their respective towns, whether made under the statutes now in force or any former statute, and a certificate signed by them, certifying that any written or printed statement of any marriage, birth or death is a true copy of the record in their custody, shall be admitted as evidence of such marriage, birth or death.

Of custody of records.

Certificate to be evidence.

SEC. 15. Births, marriages and deaths of non-residents shall be distinguished from those of residents in the returns by being arranged separately.

Non-residents.

SEC. 16. The secretary of the state board of health may, from time to time, vary the forms of returns, and require such additional information as he may consider necessary to accomplish the object of this chapter.

Forms of returns may be varied, etc.

P. L. Chap. 68o.

SEC. 17. The town clerks or other officers appointed under this chapter to collect, record and return the births in the several towns, shall receive fees therefor as follows: For making record and return of these facts as required by law, twenty cents each for the first fifty entries in each calendar year, and ten cents each for each subsequent entry and return; to be paid by the town in which the birth is recorded.

Fees for collecting, etc., births.

SEC. 18. The town clerks of the several towns, or other persons appointed under this chapter to collect the births in the several towns, shall annually in the month of January collect the facts concerning the births within their respective towns, required by this

Statistics of births, militia and school census, collection of.

P. L. Chap. 745 chapter, and shall, so far as practicable, at the same time collect the names of all persons liable to be enrolled in the militia, as required by title thirty-four, and the census of all persons between the ages of five and fifteen years inclusive, as provided by chapter fifty, and shall receive therefor such compensation as the town council or the board of aldermen of their respective towns or cities shall determine: *Provided*, that the city of Providence shall be exempt from so much of the provisions of this section as relates to the collection of the statistics of births.

Providence, exempt, etc.

P. L. Chap. 782.

Blanks, how furnished.

P. L. Chap. 745.

SEC. 19. Blanks for the foregoing purposes shall be furnished, on application therefor, on or before the first day of December in the year preceeding, by the state board of health for the collection of births, by the adjutant-general for the taking of the enrolled militia, and by the commissioner of public schools for the census aforesaid.

Return to town clerk.

P. L. Chap. 745.

SEC. 20. The person or persons who shall discharge the duties required by section eighteen of this chapter, if other than the town clerk, shall make full return thereof to the town clerk of his or their town, on or before the tenth day of February next following.

Returns of divorces.

SEC. 21. The returns required to be made by clerks of the supreme court, in relation to divorces, to the secretary of the state board of health, or a prepared abstract thereof shall be published in the annual report on the births, marriages and deaths in the state.

SECTION 2. Return of deaths by clergymen.

Return of deaths by clergymen.

SEC. 2. Clergymen of all denominations who officiate at the funerals of decedents when no undertaker is in attendance shall when requested by the state

registrar or the town or city clerk or registrar of the town or city in which such deaths occurred make returns of such deaths in the same manner and with the same compensation as of undertakers.

CHAPTER 127. OF MILK.

Gen. Stat.
Chap. 115.

SECTION

1. To be sold by wine measure; measures to be sealed.
2. Town councils may annually elect inspectors of milk; inspectors to be engaged and give notice of their election.
3. Duties of inspector.
4. Penalty for not recording name, etc., and for offering for sale milk of cows fed from distilleries or of sick cows.

SECTION

5. Penalty for selling or exchanging adulterated or watered milk.
6. Inspectors to make complaints, upon information.
7. Inspectors to publish provisions of this chapter.
8. To publish the names and places of business of persons convicted under this chapter.

SECTION 1. Milk shall be sold by wine measure, and all measures used in the sale of milk shall be sealed by the sealer of weights and measures of the town where the person so using the same shall usually reside, or of the town where such milk shall be measured for use; and every person violating the provisions of this section shall forfeit ten dollars for each offence.

To be sold by wine measure; measures to be sealed.

SEC. 2. The mayor and aldermen of any city and the town council of any town may annually elect one or more persons to be inspectors of milk therein, who shall be engaged to the faithful discharge of the duties of their office. Every such inspector shall give notice of his election by publishing notice thereof for two weeks in some newspaper published in the city or town for which he shall be appointed; or, if no news-

Inspectors, how appointed,

to give notice of election.

paper be published therein, by posting up such notice in two or more public places in such city or town.

Duties of inspectors.

SEC. 3. Every inspector of milk shall have an office and a book for the purpose of recording the names and places of business of all persons engaged in the sale of milk within the limits of his town. He may enter any place where milk is stored or kept for sale and examine all carriages used in the conveyance of milk, and whenever he has reason to believe any milk found by him is adulterated, he shall take specimens thereof and cause the same to be analyzed or otherwise satisfactorily tested, the result of which he shall record and preserve as evidence; and a certificate of such result, sworn to by the analyzer, shall be admissible in evidence in all prosecutions under this chapter. Such inspector shall receive such compensation as the mayor and aldermen or town council shall determine.

Penalty for not recording name, etc., and for selling, etc., milk of cows fed from distilleries, or sick cows.

P. L. Chap. 467.

SEC. 4. Whoever engaging in or being engaged in the business of selling milk and conveying the same for sale neglects to cause his name and place of business to be recorded in the inspector's book and his name to be legibly and conspicuously placed and constantly kept upon all carriages and vehicles used by him in the conveyance of milk or in the sale thereof, and whoever being engaged in the business of selling milk and conveying the same for sale shall neglect to renew such record annually between the first day of February and the first day of March, shall forfeit twenty dollars for the first offence and fifty dollars for the second and each subsequent offence, and whoever offers for sale milk produced from cows fed upon the refuse of distilleries or any substance deleterious to the quality of the milk, and whoever offers for sale milk produced from sick or diseased cows, shall be

fined twenty dollars for the first offence and fifty dollars for every subsequent offence, and whoever, in the employment of another, violates any provision of this section shall be held equally guilty with the principal and shall suffer the same penalty.

SEC. 5. No person shall sell or exchange or have in his possession with intent to sell or exchange, or offer for sale or exchange, adulterated milk or milk to which water or any foreign substance has been added.

Penalty for selling adulterated or watered milk.

SEC. 6. Every inspector of milk shall institute complaints on the information of any person who shall lay before him satisfactory evidence by which to sustain the same.

Inspectors to make complaints, when.

SEC. 7. Every inspector of milk shall cause the provisions of this chapter to be published in his town at least three times in some newspaper published in said town or some newspaper in the county in which the town is situated.

Inspectors to publish provisions of this chapter.

SEC. 8. Every inspector of milk shall cause the name and place of business of all persons convicted under this chapter to be published in two newspapers published in the town or county where the offence shall have been committed.

To publish names, etc., of persons convicted.

SECTION

2. Skimmed milk, etc., how to be marked.

SECTION

3. What milk to be deemed adulterated.
4. Penalties.

Pub. Laws.
Chap. 276.

SEC. 2. Every person who shall sell, exchange or deliver, or shall have in his custody or possession with the intent to sell or exchange or deliver, for himself or as the employee of any other person, milk from which the cream or any part thereof has been removed, or

Skimmed milk, etc., how to be marked.

which shall not contain two and one-half ($2\frac{1}{2}$) per centum of milk fats, shall distinctly mark, in letters not less than one inch in length, in a conspicuous place above the centre, upon the outside of every vessel, can or package containing such milk, the words "skimmed milk," and such milk shall only be sold in or retailed out of a can, vessel or package so marked.

SEC. 3. In all prosecutions under this act, if the milk shall be shown upon analysis to contain more than eighty-eight per centum of watery fluids, or to contain less than twelve per centum of milk solids, or less than two and one-half per centum of milk fats, it shall be deemed for the purpose of this act to be adulterated.

SEC. 4. Every person who shall be found guilty before a justice court of violating any of the provisions of this act, upon the first conviction shall be fined twenty dollars; and upon the second, and every subsequent conviction, shall be fined twenty dollars and be imprisoned in the county jail for ten days.

SEC. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

What milk to be deemed adulterated.

Penalties.

Pub. Laws.
Chap. 560.

SECTION

1. What officers may prosecute for violations of law relative to milk; exempt

SECTION

- from giving surety for costs.
2. Acts repealed.

What officers may prosecute for violations of law relative to milk.

SECTION 1. Any chief of police and any inspector of milk and such special constables as the town council of any town, or the board of aldermen of any city may appoint for that purpose, may make complaints and prosecute for all violations within the city or town wherein they are appointed or elected, of any of the provisions of chapter 127 of the Public Statutes, and

of any amendments thereof or additions thereto, and they each shall be exempt from giving surety for costs on any complaint made as aforesaid.

Exempt from giving surety for costs.

SEC. 2. This act shall take effect on and after its passage, and chapter 372 of the Public Laws and all other acts and parts of acts inconsistent herewith are hereby repealed.

Acts repealed.

CHAPTER 688.

Passed March 22, 1888.

AN ACT FOR THE PROTECTION OF THE HEALTH OF THE PATRONS OF HOTELS AND BOARDING HOUSES.

It is enacted by the General Assembly as follows:

SECTION 1. The state board of health shall cause upon the request of the owner, agent or lessee, or upon the request of the town council or health officer of any town wherein the premises are situated, an examination of such buildings and premises connected therewith, as are or may be used in this state for the board and lodgment of visitors or other boarders, and furnishing accommodation for ten or more of such persons at one and the same time. Such examination shall be made under the direction and supervision of the said board, and by employes under its appointment, and whenever, or as soon as may be after, such application may be made.

State board of health to examine sanitary condition of hotels, etc., when.

SEC. 2. The said employes, or sanitary examiners so appointed, shall ascertain the source and sufficiency of the water supply, the quality of the water, the modes of conveyance, introduction and storage, the methods of removal of waste water, slops, excreta, house refuse, garbage and all putrescible matter of whatever kind, the ventilation available, the means of preventing fire and modes of safe escape in case of

To examine source and quality of water, sewerage, ventilation, means of preventing fire, etc.

Compensation.

fire, and such other conditions as the said state board of health shall require. The said examiners shall receive for such service, a sum not exceeding five dollars per diem, with their travelling expenses.

Upon examination of premises certificate of condition to be issued to managing occupant.

SEC. 3. Upon the receipt of the report of such examination, the state board of health shall authorize the secretary of the said board to issue a certificate, certifying in detail to the sanitary and other conditions of the examined premises, in accordance with the examiner's report, and said certificate shall be placed by the managing occupant of such premises, in a safe and conspicuous place, where it may be easily seen and read by all persons, guests, or patrons of said premises, and the said managing occupant, upon the destruction or defacing of such certificate, shall immediately procure another of the same purport, to be placed in a like conspicuous position, and the said secretary shall be paid the sum of two dollars by the owner, agent or lessee of such premises, for each certificate so made out.

Fee for certificate.

Certificate to be used as evidence for defense in suit for damages for alleged unsanitary conditions.

SEC. 4. Every owner, agent or lessee of any building used for the purpose of providing board and lodging for the entertainment of guests, to the number of ten or more, who has obtained a certificate as provided in the section next preceding, may present the same as evidence in his defence in case of a suit for damages on account of personal injury from alleged unsanitary premises; and every owner, agent or lessee of any building opened for the purposes aforesaid, who has not had or requested such sanitary examination of such buildings and premises connected therewith, as provided in this chapter, shall be liable for damages for such neglect, and upon complaint made of such owner, agent or lessee, by any guest, boarder, or other occupant, or by the town health officer, and if upon trial

it shall be proved that any removable unsanitary condition existed within such premises at the time of making such complaint as did endanger the health of the guests or occupants of such premises, such owner, agent or lessee shall be fined, or imprisoned in the discretion of the court trying the same.

Penalty for neglect to procure certificate.

SEC. 5. Any bills for printing or other expense incurred in the enforcement of this act when certified by the chairman of the state board of health and approved by the governor, shall be paid from the state treasury upon order of the state auditor, and all acts and parts of acts inconsistent herewith are hereby repealed, and this act shall have effect from and after the first day of April, 1888.

Expenses of enforcing this act, how paid.

CHAPTER 1054.

(Passed April 8, 1892.)

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF ANY CITY TO MAKE REGULATIONS FOR THE REMOVAL OF NIGHT SOIL.

It is enacted by the General Assembly as follows:

SECTION 1. The Board of Aldermen of any city is authorized and empowered to make regulations for the removal and disposal of night soil, and the contents of cesspools, and the storing of stable manure in such city, and may issue licenses to such person or persons for conducting the business of removing night soil and the contents of cesspools, and may revoke licenses so issued, and may fix the fee for such licenses.

Board of Aldermen may regulate removal of night soil, etc.; may issue licenses, and revoke the same.

SEC. 2. Any person violating any of the regulations or orders made by any Board of Aldermen under the provisions of this act shall be fined not to exceed

Penalty for violation of regulations.

twenty dollars or be imprisoned for a term not to exceed thirty days, to be enforced on complaint and warrant in the District Court.

Acts repealed.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall take effect from and after its passage.

AN ACT TO PREVENT THE ADULTERATION OF VINEGAR.

It is enacted by the General Assembly as follows:

Sale, etc., of
adulterated vine-
gar prohibited.

SECTION 1. No person shall by himself, his servant or agent, or as the servant or agent of any other person, sell, exchange, or have in his custody or possession, with intent to sell or exchange, or expose or offer for sale or exchange as cider vinegar, any adulterated vinegar, or label, brand, or sell as cider vinegar, any vinegar not made exclusively from apple cider.

Standard of pure
vinegar.

SEC. 2. All vinegars shall be without artificial coloring matter, and shall have an acidity equivalent to the presence of not less than four and one half per cent. by weight of absolute acetic acid, and in case of a cider vinegar shall contain in addition not less than two per cent. by weight of cider vinegar solids upon full evaporation at the temperature of boiling water; and if any vinegar contains any artificial coloring matter, or less than the above amount of acidity, or in the case of a cider vinegar if it contains less than the above amount of acidity or of cider vinegar solids, it shall be deemed to be an adulteration within the meaning of this act.

What deemed
an adulteration.

Officers making
complaint for
adulteration of
vinegar not to
give surety, etc.

SEC. 3. Inspectors of milk or such other officers as town councils may appoint shall make complaint for all violations of this act, and shall not be required

to give surety for costs, and for the services required of them by this act shall receive compensation to be fixed by the town council, the compensation for the inspection of vinegar to be fixed at a sum not exceeding twenty-five cents for the inspection of each barrel of vinegar, such compensation to be paid by the person having such inspection made to such inspector.

Compensation,
and how fixed.

SEC. 4. Every inspector of milk, or any officer appointed as hereinbefore provided, may enter any place where vinegar is stored or kept for sale and examine all carriages used in the conveyance of vinegar, and whenever he has reason to believe any vinegar found by him is adulterated, he shall take specimens thereof and cause the same to be analyzed or otherwise satisfactorily tested, the result of which he shall record and preserve as evidence, and a certificate of such result sworn to by the analyzer shall be admissible in evidence in all prosecutions under this chapter.

Authority of
officers to exam-
ine vinegar, etc.:

to have same an-
alyzed, and effect
of certificate.

SEC. 5. Any person violating the provisions of this act shall be fined not exceeding one hundred dollars.

Penalty

It is enacted by the General Assembly as follows:

SECTION 1. Section 1 of chapter 714 of the Public Laws is hereby amended so as to read as follows:

"SECTION 1. The assayer or his deputy shall be allowed and paid from the general treasury for each analysis and certificate the sum of three dollars."

Fees of assayer
of liquors.

SEC. 2. This act shall take effect immediately upon its passage.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 37 OF THE PUBLIC STATUTES, "OF THE ELECTION AND QUALIFICATION OF TOWN OFFICERS."

Passed April 13,
1883.

It is enacted by the General Assembly as follows:

SECTION 1. The chief of police of the city of Provi-

Prosecuting offi-
cers under stat-
ute, "Of Milk."

dence, and such special constables as the town councils of the several towns may appoint for that purpose, shall make complaints and prosecute for all violations within their respective towns of any of the provisions of chapter 127 of the Public Statutes, and chapter 276 of the Public Laws, and they shall be exempt from giving surety for costs upon all such complaints so made by them.

SEC. 2. This act shall take effect immediately.

Passed May 6,
1887.

AN ACT TO CO-OPERATE WITH THE UNITED STATES IN
THE SUPPRESSION AND EXTIRPATION OF PLEURO-
PNEUMONIA.

It is enacted by the General Assembly as follows:

Governor may
accept rules and
regulations of U.
S. for suppression
of pleuro-pneu-
monia.

SECTION 1. The governor is hereby authorized to accept on behalf of the state the rules and regulations prepared by the commissioner of agriculture under and in pursuance of section 3 of an act of congress approved May 29, 1884, entitled "An act for the establishment of a bureau of animal industry, to prevent the exportation of diseased cattle and to provide means for the suppression and extirpation of pleuro-pneumonia and other contagious diseases among domestic animals," and to co-operate with the authorities of the United States in the provisions of said act.

Inspection, etc.,
of animals infect-
ed with contag-
ious diseases.

SEC. 2. The inspectors of the bureau of animal industry of the United States, in co-operation with the state board of health, shall have the right of inspection, quarantine and condemnation of animals affected with any contagious, infectious or communicable disease, or suspected to be so affected, or that have been exposed to any such disease, and for these purposes are hereby authorized and empowered to enter upon any ground or premises. Said inspectors in co-operation with the

state board of health shall have the power to call on sheriffs, constables and peace officers to assist them in the discharge of their duties in carrying out the provisions of the act of congress approved May 29, 1884, establishing the bureau of animal industry; and it is hereby made the duty of sheriffs, constables and peace officers to assist said inspectors when so requested; and said inspectors shall have the same powers and protection as peace officers while engaged in the discharge of their duties.

Duties of sheriffs, etc., to assist, etc.

SEC. 3. All expenses of quarantine, condemnation of animals exposed to disease, and the expenses of any and all measures that may be used to suppress and extirpate pleuro-pneumonia shall be paid by the United States, and in no case shall this state be liable for any damages or expenses of any kind under the provisions of this act.

Expenses, etc., to be paid by U. S.

SEC. 4. This act shall take effect immediately.

CITY ORDINANCES, ETC.:

PERTAINING TO THE LAWS OF HEALTH.



Corporate name.

City Charter,
section 1.

CLAUSE 1. The inhabitants of the city of Newport shall continue to be a body politic and corporate by the name of the "City of Newport," and, as such, shall continue to have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and shall be subject to all the duties and obligations now incumbent on or appertaining to said city as a municipal corporation, or by virtue of the laws of this State: so far as the same shall not be altered by this act, or by any acts in amendment thereof. They may ordain and publish such ordinances and regulations, as shall be needful to the good order of the said body politic, and may inflict fines and penalties for the breach thereof, not exceeding, for any offence, twenty dollars and ten days imprisonment.

May ordain laws
and ordinances.

Fines and penalties.

Officers, how removed for misconduct.

City Charter,
section 7.

CLAUSE 7. And the city council may, by concurrent vote, two-thirds of the members elected to either board voting in the affirmative, remove all officers for misconduct or incapacity.

Term of office of various officers.

CLAUSE 1. Unless where by this act a different term of office is provided for, all officers of the city

shall be elected annually, and shall hold their respective offices during the current municipal year for which they were elected, or until their successors are chosen and duly qualified. All vacancies, unless herein otherwise directed, shall be supplied or filled for the current municipal year.

City Charter,
section 8.

CLAUSE 1. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate, being an elector of said city, to be called the Mayor; one council of five persons, being electors, to be called the Board of Aldermen; and one council of ten persons, being also electors, to be called the Common Council; which boards united shall be called the City Council; together with such other persons, magistrates or officers, as by this act are or hereafter may by the laws of this State or the said city be prescribed, each of whom shall be sworn or affirmed to the performance of the duties of their respective offices, and to support the Constitution of this State and of the United States, in the form provided by the laws of this State.

City officers.
City Charter,
section 2.

SEC. 2. In addition to the officers named in the preceding section, the city council shall annually elect in convention, the following officers, to wit: one or more bell ringers; a keeper of the Jew's synagogue; one or more city surveyors of land; one or more surveyors of round timber and spars; a keeper of the city clocks; an overseer of small pox; a city physician; a city solicitor; an inspector of nuisances; one or more truant officers; a constable for the protection of birds; a janitor for the police station, who shall

Other officers to
be elected by
city council.

City Ordinances,
chapter 4.

perform such duties as shall from time to time be prescribed by the chief of police under the direction of the mayor; five members of the board of health, of whom three shall be resident practising physicians: an executive officer of the board of health (on the recommendation of said board), and a clerk of the department of streets and highways (on the recommendation of the committee of the city council on streets and highways).

Officers to take
oath of office.

SEC. 3. All the officers named in this chapter, before entering upon the duties of their respective offices, shall be severally sworn or affirmed in the form and manner provided by the laws of this state for town officers.

AN ACT TO ENLARGE AND EXPLAIN THE POWERS OF
THE TOWN MEETINGS AND TOWN COUNCIL OF THE
TOWN OF NEWPORT.

[Passed June, 1839.]

Be it enacted by the General Assembly as follows:

Power to enact
by-laws relative
to obstructions
in harbor.

SECTION 1. The town of Newport shall have power to make by-laws to prevent and remove encroachments or obstructions in the harbor and cove above the bridge in said town, and in the public waters thereof: and the continuance of any such encroachment or obstruction, after notice to the offender by order of the town, shall be deemed a new offence, at the expiration of every month during such continuance.

Power to make
by-laws relative
to wharves.

SEC. 2. Said town shall have power to make by-laws relative to the wharves and docks, and to the anchoring and mooring of vessels in said harbor.

Power to appoint
a harbor master.

SEC. 3. The town council of said town, or the freemen thereof, whenever they think proper, shall have power to appoint a harbor master for the port

and harbor of Newport: and to make such by-laws and ordinances not repugnant to the laws of the State or of the United States, and to establish such fees and compensation as they may deem necessary and expedient for the execution of the duties of said office free of expense to said town.

SEC. 4. Said town of Newport shall have and may exercise all and any of the powers granted in an act entitled "An act to authorize the City of Providence to establish a house of correction and for other purposes," and may adopt, apply and enforce all or any of the provisions contained in said act, so far as the same may be useful in the government of said town, and not inconsistent with its condition and ordinances: and the powers and duties of such officers as may be employed to execute the by-laws which may be made by said town, in pursuance of the powers granted to said town in this section, shall be the same as those prescribed in said act.

Power to exercise powers granted to Providence relative to the house of correction.

SEC. 5. Said town of Newport shall have power to make by-laws for the government of said town, relative to slaughter-houses, and to public markets, and market-places and the trade thereof; relative to nuisances within said town; relative to public buildings and walks; and to trees planted for ornament or use; relative to pilotage and pilots which said town may appoint and regulate; relative to sweeping of chimneys; and to fire-engines and machines; relative to a public watch, and the security of the town from riotous and disorderly persons, and the keeping disorderly houses; relative to taverns, cook-shops, oyster-houses and other places of entertainment, and to the assize of bread; relative to public shows, exhibitions and spectacles, and to the regulation of theatres and other places of amusements; and relative to burying

Power to regulate slaughter houses; and to make by-laws relative to police matters generally

grounds and the burial of the dead in said town, with power to prohibit and prevent the burial of the dead in such parts of said town as it may deem prejudicial to the inhabitants to have appropriated to such use.

Power to impose penalties.

SEC. 6. The town council of said town shall be authorized to exercise all such powers granted in this act, as said town may, from time to time, refer to the government and regulation of said town council; and nothing in this act contained shall be construed to impair or repeal any power heretofore vested by law in said town or town council; nor to exempt offenders from the punishment or penalties already prescribed by law of the State, for any of the offences herein made punishable: *Provided*, That no offender shall be twice punished for the same offence. Said town and town council shall have power, respectively, to impose penalties for the violation of any of its by-laws, not exceeding twenty dollars for any one offence; to be recovered by action of debt or by complaint, in the name of the town treasurer for the use of the town, before the court of justices in said town: but no by-law made by said town or town council, repugnant to the laws of the State, shall be valid. All by-laws made by said town or town council, shall be published as soon as may be, in one or more of the newspapers printed in said town.

AN ACT FOR THE MAINTENANCE AND PRESERVATION
OF THE PUBLIC HEALTH IN THE CITY OF NEWPORT.

[Passed January, 1858.]

It is enacted by the General Assembly as follows:

Aldermen may
make rules and
regulations.

SECTION 1. The board of aldermen of the City of Newport are authorized and empowered to make all

such rules and regulations as they shall deem necessary to regulate and control the construction of all privy vaults, sinks, sink drains, sink spouts and cesspools within the City of Newport; to prescribe the material of which the same shall be constructed; to fix the location of all privy vaults and cesspools, and the outlets of all sinks, drains and sink spouts; and to provide for the summary removal or reconstruction of all such as shall be by them deemed prejudicial to the public health; also, to make rules prescribing the location of all stables within said city, and the time and manner of removing all manure therefrom, and regulating, controlling, or prohibiting the keeping of all swine within said city, whether in, under, or about stables, or in any other locality.

SEC. 2. The board of aldermen are authorized to establish penalties for the violation of any of the rules and regulations which may be made by them, in pursuance of section one of this act, not exceeding, in each instance, the sum of twenty dollars for each day in which such violation shall be persisted in, to be recovered, to and for the use of the city, upon complaint and warrant before the court of justices of said city.

May establish penalties.

SEC. 3. If any vegetable or fruit, which shall be decayed, or any decayed, diseased, or unwholesome meat, fish, or other provisions, shall be in the possession of any person, or shall be sold, or offered, or exposed for sale within the City of Newport, the same shall be forfeited, and the board of aldermen are authorized and empowered to make all rules and regulations for the immediate seizure and destruction of the same, by such officer as they may appoint for that purpose.

Impure meats and vegetables to be destroyed.

SEC. 4. Any person selling, or offering or expos-

Penalty.

ing for sale, within the City of Newport, any of the articles declared to be forfeited by section three of this act, shall also forfeit and pay a penalty of not less than ten, nor more than twenty dollars for each offence, to be recovered to and for the use of the city, by complaint and warrant before the court of justices of said city.

Of nuisances and
their removal.

SEC. 5. Whenever there shall exist in or upon any building or premises within the City of Newport, owned or occupied by any person, any dirt, offal, animal or vegetable matter, or other filth, which, in the opinion of the inspector of nuisances, is dangerous to the health of the occupants, or to the public health, it shall be lawful for the board of aldermen of said city, to issue an order in writing, directed to the owner or occupant of such building or premises, directing him to remove such dirt or filth immediately, and to cleanse such building or premises by the use of whitewash, or other disinfectants, in such manner as in said order shall be prescribed.

Penalty for neglect.

SEC. 6. In case the owner or occupant to whom such order shall be directed, shall neglect or refuse to comply therewith, within twenty-four hours after the service thereof upon him, such owner or occupant shall forfeit and pay, to and for the use of the city, a penalty of not less than five nor more than twenty dollars, for each subsequent twenty-four hours during which he shall neglect, or refuse to comply therewith, to be recovered by complaint and warrant before the court of justices of said city; and the inspector of nuisances, is hereby authorized to go on and remove such dirt, offal, animal or vegetable matter, or other filth, and to cleanse such building or premises in the manner prescribed in said order; and the city treasurer shall pay the expense of such removal and cleansing, and

the owner and occupant of such building or premises shall be severally liable for the same, which shall be collected from such owner or occupant, by suit, in the name of the city treasurer, and for the use of the City of Newport, before any court of competent jurisdiction.

SEC. 7. Whenever a case of infectious or contagious disease exists in any tenement, cellar, or building used as a dwelling place within the City of Newport, and any dirt, offal, animal, or vegetable matter, or other filth exists therein, which, in the opinion of the inspector of nuisances, is prejudicial to the health of the inmates, or to the public health, the inspector of nuisances is hereby authorized to issue the order provided for in section five of this act, and in case of refusal or neglect on the part of the owner or occupant to remove such filth and cleanse such premises within twelve hours after the service upon him of such order, to go on and remove the same, and cleanse and disinfect such premises, in such manner as he shall deem proper; and the city treasurer shall pay the expense of all the same, and the owner and occupant of such premises shall be severally liable therefor, and the same shall be recoverable from such owner or occupant, by an action in the name of the city treasurer, to the use of the City of Newport, before any court of competent jurisdiction.

Proceedings
when certain dis-
eases exist.

SEC. 8. Whenever, in the opinion of the inspector of nuisances, the presence of any vessel or hulk, in any particular locality within the City of Newport, whether the same be used for navigation or otherwise, shall be prejudicial to the public health, it shall be lawful for the board of aldermen to issue an order in writing, directed to the owner, master or occupant of such vessel or hulk, ordering him to remove the same immediately to such place as shall be designated in

Of nuisances on
board vessel.

the said order, and to cleanse such vessel or hulk, in such manner as shall be, in such order, prescribed.

Penalty relating
to such.

SEC. 9. In case the owner, master, or occupant of such vessel or hulk, shall neglect or refuse to remove and cleanse the same within twenty-four hours after such order shall have been served upon him, such owner, master, or occupant shall forfeit and pay, to and for the use of the city, a penalty of not less than ten, nor more than twenty dollars, for each subsequent twenty-four hours during which he shall neglect or refuse so to comply therewith, and the inspector of nuisances is hereby authorized to remove and cleanse the same; and the expense of such removal and cleansing shall be paid by the city treasurer, and shall be recovered from the owner, master, or occupant of such vessel or hulk, by suit, in the name of the city treasurer, to the use of the City of Newport, before any court of competent jurisdiction, and the amount of any judgment, so recovered, shall be a lien upon such vessel or hulk, until paid.

City sergeant or
police constables
to serve orders.

SEC. 10. The city sergeant of the City of Newport, or either of the police constables of said city, is hereby authorized to make service of the orders provided for in sections 5, 7 and 8, of this act, and to make return of said service in writing, to the authority which may have issued the same.

SEC. 11. No act or part of an act, the provisions of which are not inconsistent with the provisions of this act, shall be repealed hereby, but the same shall be, and remain in full force and vigor; but any act or part of an act inconsistent herewith, is hereby repealed.

CHAPTER 18.

QUARANTINE.

SECTION 1. A quarantine shall be had of all vessels, their officers, crews, passengers and cargoes that come within the harbor of Newport, which are from any port or place whatever, where any infectious, contagious or malignant disease prevails, or recently has prevailed, or which are foul or infected after their arrival; no vessel coming from any infected district, or on board which, during her voyage, any person may have died of any infectious disease, or whose cargoes or any part thereof has recently been brought from any such port or place, shall be unladen of any article which may be deemed by the health officer capable of generating or communicating disease, until written permission therefor can be obtained from the mayor, or, in his absence, from a member of the board of aldermen.

What vessels, etc., subject to quarantine.

SEC. 2. The quarantine ground of the city of Newport shall comprise those portions of the harbor of Newport which lie to the northward of the light-house on the breakwater of Goat Island and to the southward of Coasters' Harbor Island, and west of a straight line drawn from said light-house to the western part of said Coasters' Harbor Island. The mayor, or if he shall be absent or unable to act, a member of the board of aldermen of said city, shall determine at what distance from said Coasters' Harbor Island the quarantined vessels shall be placed, so that the health of those dwellings on said island shall not be endangered. All vessels that may be ordered into quarantine shall during the time they remain in quarantine, wear a color in their shrouds in such manner as to be seen at a safe distance.

The quarantine ground.

Mayor or aldermen may locate vessels in quarantine.

Quarantined vessels to wear colors in shrouds.

SEC. 3. During the time any vessel is performing

No one to visit quarantined vessels except, etc.

quarantine, no person shall go on board thereof, excepting those employed by or under the health officer, or by permission of the mayor, or in his absence, a member of the board of aldermen, carrying a certificate from the mayor or said member; every person who shall violate the provisions of this section, shall be liable to be considered as contaminated with infection, and held to undergo purification in the same manner and under the same regulations and restrictions as those performing quarantine on board of said vessel, and shall remain there until discharged by the health officer, or the mayor, or in his absence, a member of the board of aldermen; and the health officer may forcibly detain such person or persons for the purposes aforesaid.

Penalty.

Duties of sentinel
of quarantine.

SEC. 4. It shall be the duty of the sentinel to board every vessel arriving at this port between the thirtieth day of June and the first day of November of any year, and examine their condition, and if such vessel is liable to quarantine, to order said vessel to the quarantine ground and deliver the captain or commanding officer a copy of these regulations, and report to the mayor, or in his absence, a member of the board of aldermen, her situation and circumstances, and shall by his advice and direction, take such measures for cleansing said vessel at the expense of the owners, master or commanding officer thereof, as are proper and necessary, and shall detain her on the quarantine ground so long as the mayor, or in his absence, a member of the board of aldermen, shall think expedient; all expenses incurred by such health officer during the time said vessel is quarantined, may be recovered in an action of the case in the name of the city treasurer, against the owner or owners, master or commanding officer in said vessel, or either or any

of them, before any court competent to try the same.

SEC. 5. Any commander of a ship or vessel who shall upon being hailed and ordered by the health officer or sentinel, as aforesaid, refuse or neglect to bring his ship or vessel to anchor within the limits described as aforesaid, shall be fined not exceeding twenty dollars.

Penalty on master of vessel.

SEC. 6. A person who shall be a health officer and a sentinel shall be appointed by the board of aldermen, who shall receive such compensation for his services as may be allowed by the city council; and the board of aldermen shall also appoint a physician, who shall be called the port physician, who shall receive such compensation as may be determined by the city council, to be paid him by the master or commanding officer of the vessel which he shall board; it shall be his duty when called upon by the health officer, to visit every vessel ordered into quarantine, to direct the care and attendance of the sick. The mayor, or in his absence, a member of the board of aldermen, may in his discretion order any sick person to be removed from such vessel, and carried to some suitable place out of the compact part of the city, to be provided and designated for that purpose by the city council, and there to be taken care of under the direction of the health officer until cured, which shall be determined by the attending physician of such person who shall give such person a certificate that he or she is entirely free from contagious disease, and all expenses for removal, nursing and attendance of such sick person shall be defrayed by such person, or by the owner or owners, master, or commanding officer of such vessel, and may be recovered in the same way as is provided by the fourth section for the recovery of charge incurred in cleansing such vessel.

Health officer and sentinel to be appointed.

Also a port physician, and his pay and duties.

Sick persons may be removed from vessels.

By whom expense to be borne.

Port physician
to report daily.

The port physician shall daily report to the mayor, or in his absence, a member of the board of aldermen, the situation of every sick person, and give a certificate to the master of each vessel, when he shall think proper, that such vessel may be discharged from quarantine.

Penalty for leaving
quarantined
vessel.

SEC. 7. Every person who shall leave any ship or vessel under order of quarantine as aforesaid, without permission from the mayor, or in his absence, a member of the board of aldermen, shall be fined not exceeding twenty dollars; and the mayor, or in his absence, a member of the board of aldermen, may order such person to be returned on board of such vessel, there to remain until the mayor, or in his absence, a member of the board of aldermen, order him to be discharged.

Penalty for
bringing person
from quarantined
vessel in other
port.

SEC. 8. Every person who shall bring any passenger by land or by water, and any person who shall come as aforesaid, into this city, from any ship, steamer, vessel or boat which is quarantined at any other port, in the United States, without the consent of the mayor, or in his absence, of a member of the board of aldermen, shall be fined not more than twenty dollars or be imprisoned not more than ten days for every offence.

Of vessels coming
from other
quarantine ports.

SEC. 9. All vessels arriving at this port, after having discharged their cargoes in any other port of the United States, agreeably to the quarantine regulations of such port, shall anchor on the quarantine ground, and be visited and examined by the said health officer, and be subject to the provisions of the first section of this chapter, the same as if said vessel came direct to this port.

Penalty for vessel
passing quarantine
ground.

SEC. 10. If any vessel subject to quarantine shall pass or leave the quarantine ground without permission

of the mayor, or in his absence, a member of the board of aldermen, the owner or owners, agent or agents of such vessel, or the person or persons who shall move the same, shall be fined a sum not exceeding twenty dollars; and such vessel shall be liable to be ordered back to the quarantine ground at the expense of the owner or owners, agent or agents thereof; and the owner or owners, agent or agents of such vessel shall be liable to the same penalty on every repetition of such offence.

SEC. 11. If any officer of the customs, or any other person whosoever, without permission of the mayor, or in his absence, a member of the board of aldermen, shall go on board of any inward bound vessel that shall be subject to quarantine, such officer or other person, so going on board, shall, if he land in the said city before the time of quarantine of such vessel shall have expired, be fined not exceeding twenty dollars, nor less than five dollars.

Penalty for customs officers boarding vessel subject to quarantine.

SEC. 12. The said health officer shall have authority to put such interrogatories and inquiries to the captain or commanding officer, or any other person on board of any vessel arriving at this port and subject to quarantine, as he shall deem proper, respecting the state of the vessel and the health of the people on board; and if such captain or commanding officer or other person shall refuse to answer any or all interrogatories or inquiries put to him by such health officer, or shall evade such inquiries, or shall in any way or manner make, or cause to be made to such health officer, a false or equivocal statement or report relative to the officers, crew or passengers on board thereof, or the state of the health of all or any of the officers, crew or passengers; or shall neglect to report to said health officer any death that may have occurred on

Powers of inquiry of health officer.

Penalty for refusal to answer by masters or others, etc.

board during the said voyage; or shall refuse to sign his written examination taken at the time by said health officer, after having been requested so to do, such captain, commanding officer or other person so offending, shall be fined a sum not exceeding twenty dollars.

Rules of quar-
antine.

SEC. 13. The following shall be the rules and regulations to be observed on board all vessels while at quarantine:

1. Every vessel shall during her quarantine, wear colors in her shrouds.

2. No provisions, spirituous liquors or other articles shall be admitted on board such vessel, without permission of the said health officer.

3. The said health officer shall, on all occasions, direct what goods shall be delivered from on board such vessel, the place where, and the manner in which they shall be landed.

4. No person or persons, in any boat or vessel of any kind, shall be permitted to go alongside of any such vessel at quarantine without permission of said health officer; nor to be at anchor or remain in any other manner, within one hundred yards of such vessel.

5. Every such vessel shall be removed and stationed at such place as the said health officer may from time to time, under the direction of the mayor, direct and appoint.

6. The bilge water shall be pumped from every such vessel at least twice each day.

7. The directions of said health officer for cleansing the vessel, clothing and other things on board, shall be strictly complied with by the officers and crew.

8. The commander of every such vessel shall be answerable for all irregularities and breaches of the

regulations by the people on board; all directions and permissions of the said health officer as aforesaid shall be in writing.

SEC. 14. If any person or persons shall be guilty of a breach of any rules and regulations contained in the next preceding section, such person or persons so offending shall be fined a sum not exceeding twenty dollars, nor less than ten dollars, for each such offence. Penalty.

SEC. 15. The board of aldermen, acting *ex officio* as board of health, are hereby authorized and empowered, from time to time, to fix and assign the time which vessels shall be detained at quarantine, by virtue of this chapter; and also to prescribe from time to time, if they deem it necessary, such other ports, places or countries beside those mentioned in this chapter, from which vessels arriving shall be subject to examination for quarantine. Board of aldermen to fix length of time of quarantine.

SEC. 16. The board of aldermen, acting *ex officio* as board of health, shall be and they are hereby authorized and empowered to make and carry into effect such further rules and regulations respecting quarantine as to them may appear necessary to prevent the introduction of contagious or infectious diseases from other places; and to annex such penalties for the breach thereof as they may think proper, not exceeding twenty dollars fine or ten days imprisonment. Board of aldermen may make further quarantine rules and penalties.

SEC. 17. The board of aldermen, acting *ex officio* as board of health, shall be and they are hereby authorized and empowered, from time to time, to suspend the operation of the whole or any part of this chapter, in such manner and for such term as they may deem proper, and the same to revive at their discretion. Board of aldermen may suspend operation of this chapter.

CHAPTER 23.

BURIAL OF THE DEAD.

Undertakers to be appointed annually by city council.

SECTION 1. There shall annually be appointed by the city council a sufficient number of persons to act as undertakers, removable at the pleasure of the city council.

Funerals to be between sunrise and sunset.

SEC. 2. All funerals shall take place between sunrise and sunset, unless otherwise permitted by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the surface thereof.

Coffins to be three feet below surface.

Undertakers, only, to manage funerals.

SEC. 3. No person other than a licensed undertaker, shall manage or conduct a funeral, or inter or deposit in a vault or tomb, and any person who shall remove from the city a dead body, shall first obtain permission in writing from the mayor, or the board of health, to do the same; and after said interment, deposit of a body, or removal is made, shall make return as is directed to be made by undertakers by the provisions of this chapter; and the body of every person who shall have died of small pox, diphtheria, scarlet fever, yellow fever, typhus fever, Asiatic cholera or any contagious, infectious or pestilential disease shall be removed for interment in a hearse and not in any other vehicle. Every person violating any of the provisions of this section shall be fined not exceeding twenty dollars or be imprisoned not exceeding ten days.

Permission to move body from city.

Return of burial or removal.

Of bodies dying of pestilential disease.

Penalty

Undertaker's returns to be recorded by city clerk.

SEC. 4. All returns made by an undertaker or other person, shall be recorded by the city clerk, in a book to be kept expressly for that purpose.

Of burial in other than designated burying grounds.

SEC. 5. No undertaker or other person shall hereafter bury or cause to be buried, or deposit or cause to be deposited in any vault or tomb, the body of any

deceased person in any grounds except the Common Burying Ground, the Island Cemetery, the Willow Cemetery, the Friends' Burying Ground on Green Lane, and the Roman Catholic Cemetery on Warner street, the City Cemetery, and the ground on Warner street west of the Island Cemetery, or such as shall hereafter be designated by the city council as burying grounds, and authorized to be used as such, without first obtaining permission so to do of the city council; and every person so offending shall be fined for every offence the sum of twenty dollars. The inspector of nuisances is hereby directed to take up and remove to such burial ground or cemetery, in this city, as may be designated by the city council, and there decently inter any dead body which may hereafter be buried in violation of this chapter, at the expense of the person or persons who shall have caused the said dead body to have been so illegally interred, to be recovered by said inspector in an action before any court competent to try the same.

Penalty.

Inspector of nuisances to remove bodies buried in violation hereof.

SEC. 6. No person shall bury or inter, or cause to be buried or interred, any dead body, nor dig or cause to be dug any grave anywhere in the Common Burying Ground, so called, in Newport, except within the limits of some private lot in said burying ground, or with the permission of the committee on burial grounds.

No body to be buried in Common Burying Ground, except in private lot therein, etc

SEC. 7. No person shall bury or inter, or cause to be buried or interred, any dead body, nor dig or cause to be dug any grave anywhere in the City Cemetery except within the limits of some private lot therein, without the written license so to do of the city clerk first had and obtained in every instance, or except in such spot in said cemetery as may be designated in such license.

Like provision as to City Cemetery

But city clerk may give license therefor.

SEC. 8. The city clerk, under the direction of the

City clerk may grant licenses for burial, as above.

Fee therefor.

committee on burial grounds, is hereby authorized to grant the licenses in the preceding section mentioned, and is directed and required to charge to and collect in advance of the applicants therefor, respectively, for the use of the city, the sum of one dollar for each and every dead body the interment or burial whereof is licensed as abovesaid, except in cases when the payment of said sum is expressly excused or remitted by the committee on burial grounds.

City clerk to keep record of burials.

SEC. 9. The city clerk shall keep a record of the full name, date of death, sex, age, color, occupation and condition, so far as can be ascertained, and the particular spot or place of burial or interment in said cemeteries, of each and every deceased person buried or interred therein under the provisions of this chapter.

Penalty for violation of sections 7 and 8.

SEC. 10. Every person violating any of the provisions of the seventh and eighth sections of this chapter shall be imprisoned not exceeding ten days or fined not exceeding twenty dollars.

Vaults and tombs to be examined and kept clean.

SEC. 11. Every vault or tomb, built wholly or partially above the surface of the ground and used or designed for the reception of dead bodies in any cemetery or other place in said city, shall be examined and shall be opened by the proprietor thereof, or by the person or persons in charge thereof, for examination by the mayor or the inspector of nuisances, or any member of the board of health of said city, or any person designated by said board whenever and as often as either of the above named city officers or any person designated by said board as aforesaid, shall desire or request the same, and shall be thoroughly cleansed and purified by such proprietor, or person or persons in charge thereof, under the direction of said inspector of nuisances, or of a person designated by said board as aforesaid, as often as such inspector,

or such last named person, shall require the same to be done, not exceeding four times in any one year.

SEC. 12. No dead body shall be deposited or received in any such vault or tomb, unless such body be first hermetically sealed in a metallic coffin, or is intended to be sealed up in the masonry of such vault or tomb, or is placed in such vault or tomb only temporarily and in a strong, tight box ready for removal; and no dead body shall, without the written license of said board of health first obtained, be left or suffered to remain or be in such tomb or vault for more than ten days, unless the same be carefully sealed in masonry, impervious to fluid and to odors.

Of the depositing of bodies in vaults or tombs.

SEC. 13. No dead body of any human being shall be buried or entombed in this city, nor removed from this city, without a permit first obtained from the board of health; and every person in charge of a cemetery or burying place in this city, shall require and receive such permit from the person who procured the same, before allowing the interment or entombment of any such body in such cemetery or burying place, and shall, every Monday before 12 o'clock, noon, return to the office of the board of health every permit so received by him during the week ending with the previous Saturday.

Of burial permits and permits for removal of body from city.

SEC. 14. Every person violating any of the provisions of sections twelve, thirteen or fourteen of this chapter shall be punished by a fine of not more than twenty dollars, or by imprisonment for not more than ten days.

Penalty for violation of sections 12, 13 and 14.

SEC. 15. No person shall make any fence, wall, curb, or other barrier or inclosure around any lot or piece of land in the common burying ground so-called, in said city, or in or upon any part of said burying ground, nor maintain any such fence, wall, curb, bar-

No fences, etc., to be placed in common burying ground without permission.

rier or inclosure hereafter made, without first obtaining the written license so to do of the committee on burial grounds for the time being of the city council of said city.

Penalty.

SEC. 16. Every person violating the foregoing section shall, for every such violation, be fined not exceeding twenty dollars.

Of funerals of persons dying of pestilential diseases.

SEC. 17. No funeral of a person who shall have died of small pox, diphtheria, scarlet fever, yellow fever, typhus fever, Asiatic cholera, or any contagious, infectious or pestilential disease, shall be held in any church, or be otherwise publicly conducted in this city; but every such funeral, shall be as private as may be, and whoever shall unnecessarily attend such a funeral or shall invite thereto, or shall knowingly suffer to attend thereat, any person whose attendance thereat is not necessary, shall be fined twenty dollars for each offence.

Penalty.

Penalty for removal of notices of disease in any house.

SEC. 18. Whoever shall, without the permission of the board of health, remove, destroy, obliterate or deface wholly or partially, any printed or written notice which shall have been posted, set up or displayed to indicate the existence of disease in any house or premises, shall be fined not less than five dollars, nor more than twenty dollars for each offence.

CHAPTER 24.

OF NUISANCES.

Of fish intended for manure.

SECTION 1. No fish intended for manure shall be deposited or spread upon any land within one mile of the compact part of the city, or within fifty rods from any public highway or road, in any other part of said city, unless such fish shall be so covered with earth.

sand or other materials, that no offensive smell shall arise therefrom; nor shall any person cause any such fish to be conveyed into or through any public street of said city in any wagon, cart, or other vehicle, unless the same be perfectly water-tight.

SEC. 2. No fish shall be at any time gutted, scaled, or otherwise cleansed in any of the public streets or squares of said city.

Fish shall not be cleaned in streets

SEC. 3. No hog-pen or hog-sty shall be erected or placed in or upon any of the highways, streets, squares, courts, lanes or alleys of this city. Every person violating the provisions of this or either of the two preceding sections shall upon conviction thereof, pay as a fine a sum not exceeding ten dollars.

No hog-pen shall be placed in street.

Penalty.

SEC. 4. Whenever complaint in writing shall be made to the inspector of nuisances, by any person aggrieved, that any hog-sty, privy, drain, sewer, sink or sink-gutter, vault, cellar, or building, situated on the premises owned or occupied by any person, from dirt, filth, offal, or animal or vegetable matter, is calculated to injure health or by reason of noxious air annoy the neighborhood—such inspector shall first ascertain by personal examination that such complaint is well-founded; and in all other cases, without such complaint, where from the inspector's own observation or inspection, it shall be manifest that any such nuisance exists, it shall be the duty of such inspector to cause the owner or occupant of such premises to be notified in writing of the existence of such nuisance, or annoyance, and directed forthwith to abate the same; and if such nuisance or annoyance shall not be abated by such owner or occupant within forty-eight hours after such notice shall be received, the owner or occupant, shall upon conviction pay as a fine the sum of ten dollars; and the said inspector of nuisances, pro-

Of complaints to inspector of nuisances.

And the inspector's actions thereon

Penalty.

vided such nuisance or annoyance can be abated for a sum not exceeding ten dollars, shall be authorized to cause the same to be abated, destroyed or removed, the expense thereof to be paid out of the city treasury, and collected of such owner or occupant, by said inspector, and sued for by him in an action of assumpsit if payment shall be neglected or refused on demand.

Inspector may enter premises.

SEC. 5. For the purposes contemplated by the fourth section of this chapter, it shall be the duty of the said inspector of nuisances, and he is hereby authorized, to enter into or open any part of the premises of any such owner or occupant, provided that such entry shall only be made or demanded between the hours of nine a. m. and five p. m.; and every person who shall oppose, resist or prevent such entry by said inspector or by any person by him employed, shall, upon conviction, pay as a fine the sum of twenty dollars.

Penalty for resisting entry.

Of allowing dead animals to remain on land unburied.

SEC. 6. Whoever shall place, have, or permit to remain on any lands or premises occupied by him, or under his control, or on any public land or place, the unburied body of any dead horse, neat-cattle, sheep, or hog, which has been dead for twenty-four hours or upwards, and has not been prepared, or is not intended, or is not fit for human food, shall be fined twenty dollars.

Fish guano not to be unloaded without license.

SEC. 7. No person shall land or unload from any vessel or other conveyance, or keep or store anywhere within the city of Newport, any fish guano, without first obtaining a special license for so doing from the board of aldermen of said city.

Of licenses therefor.

SEC. 8. Such license may be granted on written application therefor, setting forth the place where it is desired to unload, land, keep or store such fish guano; and such license when granted, shall be upon such

conditions and restrictions, and for such length of time, as said board of aldermen shall in each case prescribe.

SEC. 9. No swine shall be kept within the limits of the city except in such parts thereof and under such rules and regulations as the board of aldermen shall prescribe from time to time.

Of the keeping of swine within city limits.

SEC. 10. No person shall bury or deposit any dead horse, or other animal, or any offal, garbage or rubbish in or upon "Easton's Beach," so called, and every person who shall violate any of the provisions of this section shall be fined ten dollars or be imprisoned not more than ten days for every such violation.

No dead animal, etc., to be buried or deposited on Easton's beach.

Penalty.

SEC. 11. Whenever it shall appear to the satisfaction of the board of aldermen that the number of persons occupying any tenement or building within the city is so great as to be the cause, in the opinion of said board of aldermen, of nuisance or sickness, said board may issue their warrant commanding the owner or owners of such tenement or building, to abate such nuisance by removing such number of his, her or their tenants as may be required, within such time as said board shall name. And if any owner or owners so commanded shall omit or refuse to obey, he, she or they shall be fined the sum of twenty dollars.

Of the overcrowding of tenements.

Penalty.

SEC. 12. No portion of the contents of any privy vault or of any cess-pool in this city shall be carried into, through or across any highway or street of said city in any cart, wagon, or other vehicle or be otherwise removed, after the first day of May and before the first day of November in each year nor between the hours of ten o'clock in the forenoon and five o'clock in the afternoon of any day unless the removal shall be specially ordered in writing by the inspector of nuisances and the said contents be disinfected so that the removal will produce no offensive odor.

Times within which emptying of cess-pools, etc., forbidden.

Contents of cess-pools to be carried only in water-tight carts.

SEC. 13. No person shall convey or cause to be carried any of the contents of any such vault or cess-pool into, through or across any street or highway in said city in any box, cart, wagon, or other vehicle which shall not be thoroughly covered, water-tight, and kept well painted and clean on the outside.

Privy-vaults to be emptied once a year.

SEC. 14. Every owner, occupant, agent, or other person having charge of the land on which any privy vault in said city is located, shall cause such vault to be emptied at least once in every year within the times and in the manner herein before specified.

Contents of privy-vaults, etc., not to be removed in any but licensed vehicle.

SEC. 15. No person shall remove the contents of any privy, vault or cesspool, nor any swill or garbage, through or into any street or highway in this city, in any vehicle, of any description, without first obtaining a license for such vehicle from the board of aldermen of this city, or from some person authorized by said board to grant such license; and every such license shall be numbered and the number thereof shall be painted in a conspicuous place on the outside of the vehicle thereby licensed in white figures at least two inches square on a black ground.

License to be numbered and painted on vehicle.

Board of health shall cause disuse, etc., of noxious privy-vaults, etc.

SEC. 16. Whenever the board of health of said city shall adjudge any privy-vault, sink, sink-drain, sink-spout, hog-sty or place where any swine shall be kept, cess-pool or drain in said city, to be a nuisance or the cause of a nuisance, then every person owning or using the same shall forthwith, after being notified of such adjudication, cease to use the same forever, and the person or persons owning or maintaining the same shall forthwith remove the same if ordered so to do by said board, and shall reconstruct the same if said board shall so order and as said board may direct.

Penalty

SEC. 17. Every person who shall violate any pro-

vision contained in either of sections seven, nine, ten, twelve, thirteen, fourteen, fifteen or sixteen of this chapter shall be fined twenty dollars or be imprisoned ten days for every such offence.

SEC. 18. In addition to such other duties as are or shall be by law imposed upon him, the inspector of nuisances aforesaid shall hereafter take charge of the flushing of the public sewers and the keeping of all traps at the eyeholes connected with such sewers properly supplied with water; and he shall see to it that every such sewer shall be flushed when requisite, and that the said traps shall be always supplied with a sufficiency of good water, so as to make them as efficient as may be.

Inspector of nuisance to flush sewers, etc.

CHAPTER 25.

OF THE BOARD OF HEALTH.

SECTION 1. The city council in convention at the beginning of every municipal year shall appoint a board of health for the city of Newport, to consist of five members, three of whom shall be practicing physicians, who shall hold their offices until their successors are elected and qualified.

City council to appoint board of health yearly.

SEC. 2. The members of said board shall qualify in the same manner as all other city officers.

How members of board shall qualify.

SEC. 3. The said board shall elect from its own members a president and a secretary.

Board to elect its president and secretary.

SEC. 4. The duties of said secretary shall be to keep a record of the proceedings at all the meetings of said board, to keep all the records of the board, and to prepare and compile all such reports and statistics as the board may from time to time direct or have in charge.

Secretary to record proceedings of board.

Board to recommend suitable person for its executive officer

SEC. 5. The said board shall, over the signatures of its president and secretary, recommend to the city council as soon as may be, and from time to time as may be necessary, the name of some suitable person who, upon the appointment of the city council, shall be the executive officer of said board, during the pleasure and subject at all times to the orders thereof, and shall receive compensation at the rate of eight hundred dollars a year.

Who shall hold office at pleasure of board.

At \$800 per annum.

Board may expend \$1000 per annum.

SEC. 6. The said board may expend in and about the performance and accomplishment of its duties and objects, such sums of money as may be found requisite, not exceeding one thousand dollars in any one municipal year; provided always that all such expenditures shall be approved by the committee on finance of the city council before payment thereof from the city treasury.

Subject to approval of committee on finance.

Duties of board of health,

SEC. 7. The board hereby appointed shall make all proper inquiries into the condition of the public health of the city of Newport and into all things in said city which may in any way affect the health thereof; it shall prepare and compile all such statistics relating to the health of said city as it may deem proper; it shall see to the enforcement of all laws pertaining to the health of said city, as well the regulations originating with said board as those of the board of aldermen acting as a board of health; it shall receive and consider all complaints of alleged nuisances in said city, or of breaches of any of the aforesaid laws, and all complaints received by the board, or by any member thereof, shall be at once communicated to the executive officer, who upon receipt thereof, or upon any other information of such nuisances or breaches of said laws, shall inquire into the truth or falsity of such complaint or information

and shall, as the case may require, report the result of his inquiries to the board at its next meeting (and for this purpose he may call a special meeting of the board) or take such legal steps in the premises as may be necessary and proper.

SEC. 8. The said executive officer and the inspector of nuisances of the city of Newport shall be at all times subject to the direction of said board.

Executive officer and inspector of nuisances to be subject to board of health.

SEC. 9. The executive officer, the inspector of nuisances and all members of the board hereby appointed, shall, in pursuance of any complaint or information of nuisances or breaches of the law as aforesaid, have power to enter the house and premises of any person, to make inspection thereof and to do all things which may in law be necessary and proper, at all times between the hours of nine o'clock a. m. and five o'clock p. m.

Members of board, executive officer and inspector of nuisances may enter and inspect premises.

SEC. 10. The said board shall meet from time to time in their discretion, or at the call of the president thereof, or at the call of the executive officer as aforesaid, or at the call of the secretary upon the written request of any two members; and three members of the board shall constitute a quorum for the transaction of all business; and said board may have its place of meeting at such place as to it from time to time may seem fit.

Of meetings of the board.

Quorum.

Place of meeting.

SEC. 11. All vacancies in the membership of the board, by resignation or otherwise, shall be filled by appointment by the city council.

Vacancies, how filled.

SEC. 12. The executive officer and inspector of nuisances shall keep minute books in which they shall make notes of all reports, orders and inspections made to and by them with the results thereof and their proceedings thereon, which books shall, at the expiration of their terms of office and at least once in every three

Executive officer and inspector of nuisances to keep minute books, etc.

months, be turned over to the secretary who shall keep the same among the records of the board.

Board shall report to board of aldermen and make recommendations.

SEC. 13. The board shall from time to time in its discretion, and at least once in each month, report to the board of aldermen the condition of the public health of the city of Newport, with such facts and recommendations in regard thereto, or in regard to the operation of the board hereby appointed, as it may deem proper.

Members of board to be paid only for actual necessary expenses.

SEC. 14. The members of the board hereby appointed shall serve without compensation; provided, however, that they shall be paid such actual necessary expenses, incurred in the performance of their duties as the city council of the city of Newport may from time to time allow.

CHAPTER 26.

REGISTRATION OF BIRTHS AND REPORTING OF DISEASES.

Physicians to report births to board of health monthly.

SECTION 1. Every physician shall within the first week of every calendar month, deliver and leave at the office of the board of health a return signed by him of every birth at which he shall have attended in said city during the last preceding calendar month; and such return shall be made out in the form prescribed in Section 3 of Chapter 85 of the Public Statutes of this State; and every physician shall, within the first week of every calendar month, if he shall not have attended any birth in said city during the last preceding calendar month, notify the board of health, in writing, that he has not attended any birth in said city during such preceding calendar month.

SEC. 2. Whenever a birth shall take place in said city, at which no physician shall have attended, a record thereof shall be made as aforesaid and shall be delivered and left in the office of the board of health as aforesaid within one week thereafter by the father of the child so born, if the mother thereof be married and the father thereof be living, or otherwise by the mother of such child within sixty days after the birth.

Births unattended by physician to be reported by father or mother of child.

SEC. 3. Printed blank forms for making said records shall be furnished at the city clerk's office to all proper applicants therefor.

Printed blanks for such reports to be furnished at city clerk's office.

SEC. 4. Every physician shall report in writing to the board of health, or to some member of said board, every case attended by him of small pox, measles, diphtheria, scarlet fever, typhoid fever, typhus, yellow fever, cholera or cerebro-spinal meningitis. Said report shall be made within twenty-four hours after the physician shall have ascertained the existence of the disease to be reported, and shall contain the name, age, sex and residence of the patient.

Physicians to report to board of health all cases of certain diseases.

CHAPTER 27.

PUBLIC SCHOOLS.

SECTION 1. No child, or other person, shall be permitted to attend any of the public schools in this city, as a pupil, unless such child or person shall furnish to the teacher of such school, if requested to do so, the certificate of some practising physician, that such child or person has been protected from small pox by vaccination.

No unvaccinated child to attend public school

SEC. 2. No teacher, pupil or other person shall enter or attend any public school in this city if he or

No person to enter public school who, within four weeks, has resided in house with small pox, etc

she resides, or has within four weeks of such entry or attendance resided in any house in which a case of small pox, varioloid, scarlet fever or diphtheria has commenced within the same four weeks.

AN ORDINANCE IN ADDITION TO AN ORDINANCE ENTITLED "AN ORDINANCE RELATIVE TO THE PREVENTION OF DISEASES."

It is ordained by the City Council of the City of Newport, as follows:

SECTION 1. No person except a licensed undertaker shall take charge of, superintend or conduct any funeral in this city; and the body of every person who shall have died of small pox, diphtheria, scarlet fever, yellow fever, typhus fever, Asiatic cholera, or any contagious, infectious, or pestilential disease shall be removed for interment in a hearse and not in any other vehicle.

SEC. 2. Every person violating this ordinance shall be fined twenty dollars or be imprisoned ten days.

[Passed May 6, 1890.]

A true copy. Witness:

WILLIAM G. STEVENS, City Clerk.

AN ORDINANCE IN ADDITION TO CHAPTER 24, OF AN ORDINANCE ENTITLED "AN ORDINANCE REVISING THE ORDINANCES OF THE CITY OF NEWPORT."

It is ordained by the City Council of the City of Newport, as follows:

SECTION 1. No person shall remove the contents of any privy, vault or cesspool except in a manner

Undertakers, only, to conduct funerals.

Bodies of persons dying of pestilential disease to be removed only in hearse.

Penalty.

Contents of privies, etc., how removed.

and to a place designated by the inspector of nuisances of said City of Newport.

SEC. 2. Every person who shall violate any provision of the preceding section shall be fined twenty dollars or be imprisoned ten days for every such offence. Penalty.

SEC. 3. This ordinance shall take effect upon its passage.

[Passed December 1, 1891.]

A true copy. Witness:

WILLIAM G. STEVENS, City Clerk.

AN ORDINANCE WITH REFERENCE TO THE CONNECTION OF PREMISES WITH THE PUBLIC SEWERS.

It is ordained by the Board of Aldermen of the City of Newport, as follows:

SECTION 1. When any premises are situated on any street where there is a public sewer, such premises shall be connected with said sewer in such manner that any and all drainage of said premises, whether water or liquid filth of any kind, shall flow into said sewer. Premises shall be connected with sewer.

SEC. 2. Every person violating any of the provisions of the above section shall pay a fine of not less than five nor more than twenty dollars. Penalty.

SEC. 3. This ordinance shall take effect on and after the first day of May, A. D., 1892.

[Passed January 1, 1892.]

A true copy. Witness:

WILLIAM G. STEVENS, City Clerk.

AN ORDINANCE PROVIDING FOR THE REGULATION AND THE CONSTRUCTION OF PRIVY-VAULTS AND CESS-POOLS, AND THE FILLING UP OF THE SAME AFTER THEY SHALL HAVE CEASED TO BE SUCH.

It is ordained by the Board of Aldermen of the City of New-York, acting as a Board of Health, as follows:

Privy vaults, etc., to be constructed only on permit of Board of Health.

To be built and located as Board of Health shall direct.

Unused vaults, etc., to be filled up.

Penalty.

SECTION 1. No person shall construct or allow to be constructed upon his premises a privy-vault or cess-pool without having first obtained written permission so to do from the Board of Health appointed by the City Council, and all privy-vaults and cess-pools hereinafter constructed shall be in accordance with the directions of said Board of Health as to situation and manner of construction.

SEC. 2. All privy-vaults and cess-pools which shall have ceased to be used or maintained as such shall be cleansed, disinfected and filled up by their owners in such manner as the said Board of Health shall direct, within ten days after notice in writing from the executive officer of said Board of Health acting under instructions from said Board.

SEC. 3. Any person violating any of the provisions of this ordinance or neglecting to comply therewith shall be fined not exceeding twenty dollars for each and every day upon which such violation or neglect shall exist.

SEC. 4. This ordinance shall take effect immediately, and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

[Passed August 2, 1892.]

A true copy. Witness:

WILLIAM G. STEVENS, City Clerk.

RULES AND REGULATIONS

RELATIVE TO

THE HEALTH OF THE CITY OF NEWPORT,

MADE BY

THE BOARD OF ALDERMEN OF SAID CITY, 1885.

-
1. Every privy-vault and every vault connected with a privy and every cesspool must be made of stone or brick and hydraulic cement throughout, on the bottom as well as at the sides, and must be of a capacity of at least eighty cubic feet. The whole inside of every such vault or cesspool must be within the land of the owner thereof and at least two feet distant from the boundary lines of such land and from any part of any street or private way adjoining such land, unless the owner of the land adjoining the lot on which the vault or cesspool stands shall consent in writing to have the same differently located and continued. Every such vault and cesspool shall be so constructed as to be conveniently approached, opened and cleaned, and shall be made so tight that the contents cannot escape or leak out, except into a sewer.
- Construction, location, etc., of privy-vaults, etc.

All the foregoing shall apply to all privy vaults which shall be constructed hereafter; and all those heretofore built and for or on account of which any complaint may be made to the Board of Health elected by the City Council of said Newport, shall, if so ordered by said Board in its discretion, be by the owner or occupant thereof reconstructed in accordance with the foregoing rules, or filled up and replaced by new vaults so constructed.

Ventilation
thereof.

2. Every cesspool shall be arched or securely covered, and shall have proper means of ventilation approved by the said Board of Health.

Sinks to be con-
nected with
sewer.

3. Kitchen and waste sinks must be safely and securely connected with a sewer or well-covered drain, and must not be permitted to discharge by spouts or otherwise upon the side of the house or on the surface of the ground.

Traps for same,
etc.

4. All water-closets, sinks, set wash-bowls, bath-tubs and laundry-tubs shall have as near to them as practicable, suitable traps approved by said Board of Health.

Material and lo-
cation of drain-
pipes, etc.

5. All drain-pipes, waste-pipes and soil-pipes must be either of properly tested cast iron, or of best quality vitrified clay or cement. Every such pipe inside of a building or within a cellar wall or on the surface of the ground or less than three feet below said surface, must be of iron as aforesaid; and must also be of the same material wherever it may be reached by the frost and wherever it lies within ten feet of any well or cistern. Provided, however, that waste-pipes for set wash-bowls, bath-tubs and laundry-tubs may be of lead.

Traps for same,
etc.

6. All drains, drain-pipes, waste-pipes and soil-pipes, and all pipes connected with rain water or surface water spouts or leaders and running to or into a cesspool or sewer, must be furnished with a proper

trap approved by said Board of Health and situated outside of house or building.

7. Disused and abandoned cesspools and privy vaults shall, when requiring it, be emptied by the owner or occupant of the land whereon they stand respectively, and shall then be disinfected and filled in by such owner or occupant with loam or such other proper absorbent as may be approved by said Board of Health.

Disused vaults,
etc., to be filled
in.

8. Said Board of Health shall promptly condemn and order removed all defective or worn-out material of the drains, pipes, cesspools, vaults, traps aforesaid, and all work done thereon not in accordance with the provisions of these rules and regulations or of the regulations in force from time to time in said Newport for opening or entering or connecting drains with public sewers; and shall also order the repair, reconstruction or renovation of said material and work, so far as may be needful, and within such reasonable time as they may appoint. All such orders shall be given to the owners or occupants of said structures condemned as aforesaid on account of material or work, and shall be strictly obeyed.

Defective material or work to be condemned.

9. No disused or abandoned well or cistern shall be used as a receptacle for sewerage, garbage, or other house waste, unless the same be first reconstructed in conformity to the foregoing rules. And every owner or occupant of such a well or cistern shall fill it in with loam or other clean absorbent upon being ordered so to do by said Board of Health.

Disused wells,
etc., to be reconstructed before
used for house
waste, etc.

10. All soil-pipes hereafter constructed must be carried above the roof of the house or building in which they lie, and must be left open at the top.

Placing of soil-pipes.

11. Every building used as a dwelling house shall be furnished with at least one suitable and safely con-

Every dwelling house to have water-closet or privy.

structed water-closet, or with a privy or privies built as hereinbefore prescribed, and large enough to supply the necessities of the persons entitled to use the same.

Waste water to be conveyed to sewer, etc.

12. All waste water and all matter discharged from a water-closet shall be conveyed through a sufficient drain under ground to a common sewer or to a cesspool constructed as aforesaid under ground, and approved by the said Board of Health; and no person shall suffer waste or stagnant water to remain in a cellar or upon land owned or occupied by him in the compact part of said City of Newport.

Not to remain in cellars or upon land

Emptying of vaults, etc.

13. Whenever a vault, privy-vault or cesspool becomes full or offensive, or a drain becomes obstructed, the owner or occupant of the land in which such drain, vault, privy or cesspool is situated, shall cause the same to be emptied, cleared and cleaned, within such reasonable time as the said Board of Health may in a notice therefor prescribe; and every privy-vault and cesspool in said city shall be emptied by the owner or occupant thereof at least twice in every year within the times and in the manner legally ordained.

Manure, and its removal.

14. Not more than three cords of manure shall be permitted to accumulate or remain in or near any livery stable or other stable in said Newport, at any time after the first day of May and before the first day of November in each year; and between those days as aforesaid no manure shall be removed except after five o'clock in the evening and before ten o'clock in the morning.

Location of fish-cars, etc.

15. No fish-car, lobster-car, ark, or other receptacle for fish or lobsters, shall be kept or put within one hundred and fifty feet of the mouth of any sewer.

Penalty for violation of rules.

16. Every owner or occupant or other person who shall make, maintain or use, either alone or with another person or other persons, any structure or thing

contrary to or forbidden or prohibited by the foregoing rules or any part thereof, or shall in any wise violate any provision of said rules, shall be fined not less than five dollars nor more than twenty dollars for every offence.

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